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# Confessing Incest to a Rabbi: A Talmudic Story in Its Zoroastrian Context\*

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## ■ Introduction

A fascinating anecdote preserved in the Babylonian Talmud (*b. 'Abod. Zar.* 17a) tells the story of a woman who comes before Rav Hisda and discloses to him that her younger son is the product of incestuous intercourse she has performed with her older son. Rav Hisda, in turn, rather than instructing her with regard to her penance, orders the preparation of her shrouds, thus indicating that her death is inescapable and imminent. Although the nature of the encounter between Rav Hisda and the sinner is not explicit in the story itself, the passage is situated within the Babylonian Talmud in the context of a broader legal and theological discussion centered on the penitential requirements for a person seeking to turn away from *minut* (heresy).<sup>1</sup>

\* An earlier version of this article was presented on March 1, 2012 at Harvard University, during my visit at the Center for Jewish Studies as a Harry Starr fellow. The article benefited from the invaluable comments of Prods Oktor Skjærvø, Yaakov Elman, Shaye Cohen, Jay Harris, Bernard Septimus, Marc Saperstein, David Stern, Michal Bar-Asher Siegal, Elitzur Bar-Asher Siegal, Meir Ben-Shahar, Zvi Septimus, Dov Weiss, and Ari Finkelstein.

<sup>1</sup> The transcriptions and translations of all Pahlavi texts cited in the article were done by the author with the generous help of Prods Oktor Skjærvø. The following lists the editions of the Pahlavi works cited throughout the article: Jehangir C. Tavadia, *Šāyist nē Šāyist: A Pahlavi Text on Religious Customs* (Hamburg: De Gruyter, 1930; [hereafter abbreviated *ŠnŠ*]); Jean de Menasce, *Le troisième livre du Dēnkart* (Bibliothèque des œuvres classiques persanes 4; Travaux de l'Institut d'études iraniennes de l'Université de Paris 5; Paris: Klincksieck, 1973 [the *Dēnkard* is hereafter abbreviated *Dk.*]); Alan V. Williams, *The Pahlavi Rivāyat Accompanying the Dādestān ī Dēnīg* (2 vols.; The Royal Danish Academy of Sciences and Letters: Historisk-filosofiske meddelelser 60; Copenhagen: Munksgaard, 1990 [hereafter abbreviated *PRDD*]); Nezhat Safā-Iṣfahānī, *Rivāyat ī Emēd ī Ašawahistān: A Study in Zoroastrian Law* (rev. ed.; Harvard Iranian Series 2; Cambridge: Dept. of Near Eastern Languages and Civilizations, Harvard University, 1980 [hereafter abbreviated *REA*]); Mahnaz Moazami, *Wrestling with the Demons of the Pahlavi Videvdad: Transcription, Translation,*

למיירה דכל<sup>2</sup> דפריש ממנות<sup>3</sup> מאית, והא הוה<sup>4</sup> איתהא דאתאי לכמה דרב חסדא  
אמרה ליה<sup>5</sup> קלה שבקלות עשתה<sup>6</sup> בנה קטן מבנה הנדרול ואם' להו רב חסדא זודו  
לה זודתא<sup>7</sup> ולא מיתה?<sup>8</sup> ההיא<sup>9</sup> לא הדרא בה שפיר.

and Commentary (Leiden: Brill, 2014 [hereafter abbreviated PV]); Shaul Shaked, *The Wisdom of the Sasanian Sages (Dēnkard 6)* (Persian Heritage Series 34; Boulder, Colo.: Westview, 1979); Mahmoud Jaafari-Dehaghi, *Dādestān i Dēnīg, Part 1: Transcription, Translation and Commentary* (Studia Iranica 20; Paris: Association pour l'avancement des études iraniennes, 1998 [hereafter abbreviated DD]); Firoze M. Kotwal and Philip G. Kreyenbroek, *The Hērbedestān and Nērangestān* (4 vols.; Paris: Association pour l'avancement des études iraniennes, 1992–2009 [the *Hērbedestān* is hereafter abbreviated *Hb.J*]); Maria Macuch, *Das sasanidische Rechtsbuch "Mātakdān i Hazār Dātistān" (Teil II)* (Abhandlungen für die Kunde des Morgenlandes 45; Wiesbaden: Kommisionsverlag Franz Steiner, 1981 [hereafter abbreviated MHDA]); eadem, *Rechtskasuistik und Gerichtspraxis zu Beginn des siebenten Jahrhunderts in Iran. Die Rechtssammlung des Farrohmard i Wahrāmān* (Iranica 1; Wiesbaden: Harrassowitz, 1993 [hereafter abbreviated MHD]); and Behramgore Tahmuras Anklesaria, *The Pahlavi Rivāyat of Ādurfarnbay* (2 vols.; Mumbai: Bhargava and Co., 1969 [hereafter abbreviated RAF]).

For a recent summary and reevaluation of scholarly opinions concerning the rabbinic discourse of *minut*, see Adiel Schremer, *Brothers Estranged: Heresy, Christianity, and Jewish Identity in Late Antiquity* (Oxford: Oxford University Press, 2010) 3–24.

<sup>2</sup> New York adds: [ח'יכא] [מאן].

<sup>3</sup> New York: [ממניות] [מעבירות].

<sup>4</sup> The usage of the demonstrative pronouns in Jewish Babylonian Aramaic is discussed in Elitzur Bar-Asher Siegal, “Non-anaphoric Uses of the Demonstrative Pronouns in Jewish Babylonian Aramaic,” *Leshonenu* 74 (2012) 229–66 [Hebrew].

<sup>5</sup> Note the shift from Aramaic to Hebrew. On some possible implications of this shift in language see Eliezer Margoliot, “Hebrew and Aramaic in the Talmud and Midrash,” *Leshonenu* 27 (1962–1963) 20–33 [Hebrew]; Shamma Friedman, “A Critical Study of *Yevamot X* with a Methodological Introduction,” in *Texts and Studies: Analecta Judaica* (ed. H. Z. Dimitrovsky; 2 vols.; New York: Jewish Theological Seminary of America, 1977) 1:275–441 [Hebrew]; and idem, *Talmudic Studies: Investigating the Sugya, Variant Readings and Aggada* (New York: Jewish Theological Seminary of America, 2010) 3–56 [Hebrew].

<sup>6</sup> The sinner is probably referring to herself in the third person. It is possible, however, that someone else is accusing her, but then we must prefer the reading אמרו ליה<sup>7</sup> (“they said to him”) and not אמרה ליה<sup>8</sup> (“she said to him”) as attested in the Paris ms.

<sup>7</sup> The phrase צביחו לה זודתא or זודתא לה, which indicates the preparation of one’s shrouds, appears also in b. *Roš Haš.* 17a; b. *Mo’ed Qat.* 27b; and b. *Nid.* 37a. This phrase seems to parallel the Palestinian equivalent עתד ליה הכריכין, which appears in y. *Šeb.* 4:2, 35b and y. *B. Bat.* 3:3, 13b. A discussion of this phrase is found in Eliezer S. Rosenthal and Shaul Lieberman, *Yerushalmi Neziqin: Edited from the Escorial Manuscript with an Introduction by E. S. Rosenthal, Introduction and Commentary by S. Lieberman* (Jerusalem: The Israel Academy of Sciences and Humanities, 1983) 180–81.

<sup>8</sup> Munich adds the following words from the second version of the story: מכך ליל דמנות נמי הוה באיה.

<sup>9</sup> Munich: הוה דלא מית' משוי דלא.

איכא דאמריו:<sup>10</sup> ממיןות אין מעבירה לא<sup>11</sup> והוא ה'יא איזתא<sup>12</sup> דאתאי לקמיה דרב חסרא ואמרה ליה קללה שבקלות עשתה בנה קטן מבנה גדוול, ואם להו רב חסרא זוудו לה זודת<sup>13</sup> ומיתה? מדקאמרה ליה קללה שבקלות מכלל דמיות נמי הויא בז.<sup>14</sup>

[Does this mean that anyone who repents from *minut* will die? Was there not a certain woman who came before Rav Hisda confessing to him that the lightest among all the light<sup>15</sup> sins she had committed was that her younger son was the issue of (incestuous intercourse she performed with) her older son? Whereupon Rav Hisda said: Get busy preparing her shrouds—but she did not die? That one did not altogether renounce her evildoing (and that is why she did not die). Some have this version: (Is it only) from *minut* that one dies if one repents, but not from other sins? Was there not that woman who came before Rav Hisda confessing to him that a light sin (perhaps the lightest sin) that she had committed was that her younger son was the issue of (incestuous intercourse with) her older son? Whereupon Rav Hisda said: Get busy preparing her shrouds—and she died. Since she said (regarding her guilt) that it was one of the lightest, it may be assumed that she was also guilty of *minut*.]

The present study attempts to elucidate this fascinating passage by exploring its underlying Zoroastrian context. Although I wish to make no definite claim about the “original” context of the story itself—as it is far too short and cryptic to decipher—I will argue that within its current redacted setting the story can be significantly illuminated by its contextual reading against the backdrop of contemporaneous Zoroastrian practice and belief. As the following analysis will demonstrate, certain Pahlavi texts pertaining to the issues of penitence and next-of-kin relations significantly enrich our ability to understand the passage and especially its peculiar and anomalous features.

In what follows, I shall argue that the woman in the story was engaged in the consummation of *xwēdōdah* (*Av. x<sup>v</sup>aētuuadaθa*), which is said in the Pahlavi texts to refer to marital unions between father and daughter, mother and son, or siblings, and to be one of the most pious and righteous acts possible. The role of *xwēdōdah* in the Zoroastrian penitential system—and particularly the idea that the consummation of *xwēdōdah* cancels the effects of a death sentence—will serve to illuminate several aspects of this cryptic passage. The penitential procedures prescribed in the Pahlavi

<sup>10</sup> Munich: ואיכ' דמותבי ה'ci.

<sup>11</sup> New York: ממיות הוא דמיות משאר עבירות (הוא) לא מיה.

<sup>12</sup> New York omits.

<sup>13</sup> New York: טרחי ליה בזווות; Munich: טרחו לה בזבדתא.

<sup>14</sup> b. 'Abod. Zar. 17a (MS Paris 1337).

<sup>15</sup> The phrase *קללה שבקלות* also occurs in *t. Šabb.* 15:17 (ed. Saul Lieberman, *The Tosefta* [4 vols.; New York and Jerusalem: The Jewish Theological Seminary of America, 2002] 2:75) in the sense of a “light” mitzvah, but cf. *y. Pe'ah* 1:1, 15d; *y. Qidd.* 1:7, 61b.

texts, furthermore, will shed light on the penitential encounter that purportedly took place between Rav Hisda and the sinner.

Considering the legal and theological importance of *xwēdōdah* in Zoroastrianism, it would seem somewhat unlikely that the authors and transmitters of this story would discuss a case of incest between mother and son without having the Zoroastrian doctrine somewhere in their thoughts. While the rabbis address the matter of incestuous relations in several other contexts<sup>16</sup>—namely, in their discussions of the Levitical abominations,<sup>17</sup> in their discussions of the Noahide laws of incest,<sup>18</sup> in their exegetical treatments of biblical stories relating to incest,<sup>19</sup> and even in enigmatic and playful riddles concerning incestuous unions<sup>20</sup>—in this passage the Babylonian Talmud relates an unprecedented story of incest between mother and son that purportedly took place in Sasanian Babylonia and that involved the ruling of a prominent rabbinic authority. The subsequent analysis of this passage against the backdrop of the Zoroastrian material is intended to unearth the underlying Zoroastrian connections in the story, and to elucidate the various ways in which the redactors of this talmudic passage engage, and react to, the Zoroastrian doctrine of *xwēdōdah*.

It is possible, of course, that the story preserves some form of historical kernel, perhaps even the memory of an actual encounter that took place in the third century. In pursuit of historical reconstructions of this sort, one may reach the conclusion that the clash between Rav Hisda's position and the confessor's expectations reflects a broader tension between resistant and acculturated currents among Babylonian Jewry in the early Sasanian period. Alternatively, the story may be reflective primarily of the world of its transmitters and redactors, in which case it would teach us more about the rabbis of the late Sasanian period who envisioned such an encounter. One way or another, the Zoroastrian background of the story must be elucidated in any attempt to appreciate its broader historical significance.

<sup>16</sup> Some of these contexts are examined in Yishai Kiel, "Reading Incest in the Babylonian Talmud in Light of Zoroastrian Law and Ideology," *Jewish Law Annual* (forthcoming).

<sup>17</sup> See especially *m. Mak.* 3:1 and *b. Mak.* 14a.

<sup>18</sup> *t. 'Abod. Zar.* 8:4; *y. Yebam.* 11:2, 12a; *Gen. Rab.* 18:5 (eds. Jehudah Theodor and Hanoch Albeck, *Midrash Bereshit Rabba: Critical Edition with Notes and Commentary* [Jerusalem: Wahrmann, 1965] 165–66); and *b. Sanh.* 57b–58b.

<sup>19</sup> See, e.g., *y. Sanh.* 5:1, 22c; *y. Sanh.* 9:1, 26d; *y. Yebam.* 11:1, 11d; *Gen. Rab.* 84 (ed. Theodor and Albeck, 1026); *Gen. Rab.* 51 (ed. Theodor and Albeck, 537–41); *b. Hor.* 10b; *b. Naz.* 23a; and *b. B. Qam.* 38b.

<sup>20</sup> *b. Yebam.* 97b. For an attempt to read this passage in a Zoroastrian context, see Eli Ahdut, "Jewish-Zoroastrian Polemics in the Babylonian Talmud," in *Irano-Judaica: Studies Relating to Jewish Contacts with Persian Culture throughout the Ages* (ed. Shaul Shaked and Amnon Netzer; 6 vols.; Jerusalem: Ben Zvi Institute, 1981–2008) 4:34–36; Adiel Schremer, *Male and Female He Created Them: Jewish Marriage in the Late Second Temple, Mishnah and Talmud Periods* (Jerusalem: Zalman Shazar Center, 2003) 173–76.

## ■ Internal Difficulties and Anomalies

The present attempt to uncover the Iranian context of a talmudic narrative is informed by recent studies that have illustrated the indispensability of the Iranian component in the study of the Babylonian Talmud.<sup>21</sup> We are often reminded, however, in the context of the comparative study of rabbinic literature that one ought to be sensitive to the internal dynamics of a text before seeking to contextualize it within a broader cultural framework.<sup>22</sup> While I tend to agree with this methodological precaution, I must stress that, when a talmudic text displays inherent anomalies that cannot be explained in a satisfactory manner within its immediate rabbinic context, it often displays broader concerns reflected in adjacent cultures. The passage under discussion is thus not only cryptic and puzzling, but also displays anomalous and atypical anxieties, a fact that supports the likelihood of the rabbis' engagement with broader cultural concerns.<sup>23</sup>

Before I turn to the extra-rabbinic evidence to elucidate the passage, I shall first discuss the internal difficulties and questions it raises. First, the idea of "penitential death"<sup>24</sup> (death that functions as part of the penitential process and not in the context of criminal procedure) and the notion that death is, at times, the "last resort" of penitence available for certain sins, although anticipated in earlier rabbinic literature,<sup>25</sup> is particularly emphasized in the talmudic discussion of *b. 'Abod. Zar.* 17a. Besides the confession story, in which Rav Hisda declares that the

<sup>21</sup> For a brief history of the field, see Geoffrey Herman, "Ahasuerus, the Former Stable-Master of Belshazzar, and the Wicked Alexander of Macedon: Two Parallels between the Babylonian Talmud and Persian Sources," *AJSR* 29 (2005) 283–97, at 288; Shai Secunda, "Reading the Bavli in Iran," *JQR* 100 (2010) 310–42, at 318; and Yishai Kiel, "Selected Topics in Laws of Ritual Defilement: Between the Babylonian Talmud and Pahlavi Literature" (Ph.D. diss., The Hebrew University of Jerusalem, 2011) 3–6.

<sup>22</sup> See, e.g., the remarks of Christine Hayes, *Between the Babylonian and Palestinian Talmuds* (New York: Oxford University Press, 1997) 3–24.

<sup>23</sup> For this method of "unearthing" non-rabbinic concerns in rabbinic literature see, e.g., Richard Kalmin, "The Formation and Character of the Babylonian Talmud," in *The Late Roman-Rabbinic Period* (ed. Steven T. Katz; vol. 4 of *The Cambridge History of Judaism*; Cambridge, U.K.: Cambridge University Press, 2006) 855. Shaye Cohen pointed out to me that, in light of the "Christian" context of the adjacent talmudic stories of Elazar b. Dordya and R. Eliezer in *b. 'Abod. Zar.* 16b–17a, it is likely that the Rav Hisda story also displays non-rabbinic concerns. On the Christian context of the R. Eliezer story see Daniel Boyarin, *Dying for God: Martyrdom and the Making of Christianity and Judaism* (Stanford, Calif.: Stanford University Press, 1999) 22–66 and Peter Schäfer, *Jesus in the Talmud* (Princeton, N.J.: Princeton University Press, 2007) 41–51. On the monastic context of the Elazar b. Dordya story, see Michal Bar-Asher Siegal, "Literary Analogies in Rabbinic and Christian Monastic Literature" (Ph.D. diss., Yale University, 2010) 202–49.

<sup>24</sup> On this notion, see Bar-Asher Siegal, "Literary Analogies," 234–37.

<sup>25</sup> *t. Kippurim* 4:8–9 (ed. Lieberman, 252–53); *m. Yoma* 8:7; *b. Šebu.* 13a; *b. Šebu.* 39a; *b. Ker.* 7a; *b. Yoma* 86a; *Mekhilta de-Rabbi Ishma'el*, *Masekhta de-bahodesh* 7 (ed. Hayim Shaul Horovitz and Israel Abraham Rabin, *Mekhilta de-Rabbi Ishma'el* [Jerusalem: Mekitze Nirdamim, 1997] 227–28); *Sifre Zuṭa*, *Naso* (ed. Hayim Shaul Horovitz, *Siphre d'Be Rab, Fasciculus primus: Siphre ad Numeros adjecto Siphre Zutta* [Jerusalem: Shalem, 1992] 248); *y. Yoma* 8:7 45b; *y. Yoma* 8:8, 45b–c; *y. Sanh.* 10:1, 27c; *y. Šeb.* 1:9, 33b; and *b. Yoma* 86a.

sinner must die in order to repent, the notion of penitential death surfaces again in the adjacent narrative about the repentance of Elazar b. Dordya. In this context, Elazar realizes that there is no “way out” from the sins he has committed, comes to terms with the fact that he must die in order to repent, and eventually embraces his penitential death willingly. In our passage, by contrast, the sinner learns about her penance only from her encounter with Rav Hisda. In other words, a religious authority is not involved in the penitential death of Elazar, while Rav Hisda figures prominently in the penitential death of the confessor.

Second, the disclosure of one’s sins in the presence of a rabbi and his involvement in the specific penitential procedures that ought to be inflicted on the sinner appear to be somewhat anomalous in the broader context of rabbinic discourse on repentance. Although the rabbis have much to say about confession,<sup>26</sup> sinners are normally encouraged to conceal their sins from other human beings and reveal them only to God.<sup>27</sup> It is not entirely clear why the sinner approaches Rav Hisda in the first place, but in the context of the broader talmudic discussion on penitence, it seems that this scene is perceived by the redactors as reflecting the disclosure of one’s sins to a religious authority in order to receive some sort of penitential guidance.<sup>28</sup>

Third, in the course of her exchange with Rav Hisda the sinner describes the sin of having incestuous intercourse with her son as the “lightest” of her crimes. It is likely that this expression is only meant as hyperbole so as to emphasize the severity of the other sins she has committed. However, in light of contemporary Zoroastrian rhetoric, which describes the performance of *xwēdōdah* as the “greatest” of all religious acts (see below), it is possible to view this expression as a response to the same type of rhetoric. After all, even if the Talmud wishes to convey the message that this woman was guilty of other grievous crimes—perhaps even the sin of *minut* as suggested by the anonymous redactors—it is difficult to imagine any other crime in light of which sexual copulation between mother and son might be termed a “light” offense. One should be reminded in this regard of the Levitical verses that

<sup>26</sup> See, e.g., *t. Kippurim* 4:14–15 (ed. Lieberman, 254–55); *y. Yoma* 8:9, 45c; and *b. Yoma* 87b.

<sup>27</sup> That is, at least with regard to matters that do not involve transgression against other people. See *b. Ber.* 34b; *b. Soṭah* 32b; and *b. Yoma* 86b.

<sup>28</sup> Notably, in *b. Sanh.* 25a we find Rav Nahman and Rava, the prominent rabbinic authorities of Mehoza, discussing the punitive procedures that ought to be imposed upon an animal slaughterer who intentionally distributed non-kosher meat. Moshe Beer points out that the very fact that the rabbis are the ones who instruct the sinner how to repent in this instance is itself a novelty (“On Penances and Penitents in the Literature of Hazal,” *Zion* 46 [1981] 159–81, at 168–69 [Hebrew]). It seems, however, that unlike the story in *b. ‘Abod. Zar.* 17a, where the woman comes to Rav Hisda on her own initiative seeking spiritual guidance—and therefore the involvement of the rabbi is essential—the story in *b. Sanh.* 25a addresses a case where the rabbis are forced to intervene in the penitential procedure of a sinner since he is distributing non-kosher meat to others, and thus the extent of his sincerity and remorsefulness needs to be determined by someone other than the sinner himself. In this case, moreover, there is no disclosure of sins but, rather, the sages are discussing among themselves whether or not the animal slaughterer can resume his previous office. The story in *b. ‘Abod. Zar.* 17a is thus distinct in the sense that it depicts disclosure of sins to a rabbi, in which case the rabbi instructs the sinner how to repent for her sins.

stipulate that “the man who lies with his father’s wife has uncovered his father’s nakedness; both of them shall be put to death; their blood is upon them.”<sup>29</sup> This sentence is interpreted by the rabbis as referring to death by stoning,<sup>30</sup> a punishment that is considered by most rabbis to be the most severe class of penalty issued in the entire punitive system.<sup>31</sup> Whichever laws this woman may have transgressed, the classification (however rhetorical) of sexual intercourse between mother and son as the “lightest of light sins” (*קטנה שבקטנותה*) is remarkable, even when it is placed in the mouth of an ignorant sinner.

Fourth, it is not altogether clear why the redactors assume that the woman in the story is not only a sexual deviant, but also guilty of *minut*. In fact, it is this underlying assumption, namely, that the woman must be guilty of *minut*, which makes the story relevant in the broader context of the talmudic discussion, which is centered on the possibility of penitence in the case of *minut*. While the story, in and of itself, contains no indication that the woman is in fact guilty of *minut*, the anonymous redactors place the story in a context that suggests that the sin of *minut* is at stake and, if that is not clear enough, the discussion straightforwardly concludes with the assertion that the woman is in fact guilty of *minut*.

In order to understand the supposed relevance of *minut* to the story, one must consider the two different versions in which the story is transmitted in the Babylonian Talmud. The first version of the story presumes—although the reason for this assumption is absent—that the woman is guilty of *minut* (along with her sexual crime) and therefore inquires why it is that she does not die in the course of her penitential endeavor given the general talmudic conviction that in order to repent for *minut* one must die in the process.

The seeming lack of any connection between the story itself and the sin of *minut*, which is discussed in the editorial stratum, resulted in several scribal attempts to emend the text. The New York ms initially contained the word *מןיןותה* (“from heresy,” “from idolatry”) in the original talmudic introduction to the story, but the word was crossed out (either by the same scribe or by another hand) and the word *מעבירותה* (“from [other] sins”) was written in the margin to replace it, thus shifting the focus of the inquiry to sins other than *minut*. In contrast, the Munich ms duplicates the talmudic deduction from the second version of the story, according to which the woman must be guilty of *minut* since she describes her sexual crime as relatively “light.” Although this clause may have redundantly been copied from the second version of the story, which does in fact contain this clause, it may also be a deliberate interpolation that is meant to account for the lack of explicit mention of *minut* in the first version of the story. However, the best extant textual

<sup>29</sup> Lev 20:11, 18:7–8.

<sup>30</sup> *m. Sanh.* 7:4. For the rabbinic classification of sinners who must be put to death by stoning, see Aharon Shemesh, *Punishments and Sins: From Scripture to the Rabbis* (Magnes: Jerusalem, 2003) 101–7 [Hebrew].

<sup>31</sup> For the relative severity of various capital punishments, see *m. Sanh.* 9:2–3; Shemesh, *Punishments*, 35–56.

witness for *b. 'Abod. Zar.*, namely the Paris ms, contains no such emendation, thus representing the *lectio difficilior*.

But, even according to the second version of the story, where the textual witnesses clearly contain the deduction—namely, that the woman must be guilty of *minut* since she describes her sexual crime as relatively “light”—the underlying logic is hardly convincing. The tension that exists between the internal message of the story and the objective of its incorporation into the broader talmudic discussion seems to reflect, therefore, a deliberate attempt on the part of the anonymous redactors to appropriate an otherwise unrelated rabbinic anecdote concerned with incest and connect it to the matter of penitence on account of *minut*.

## ■ An Early Rabbinic Interpretation

Before attempting to resolve these difficulties, I must first call attention to a parallel tradition that appears in *Eccl. Rab.* 1:8. While the extent to which the redactors of *Eccl. Rab.* incorporated Babylonian traditions is still debated,<sup>32</sup> in this case it is rather self-evident that the *Eccl. Rab.* account is based on the story in *b. 'Abod. Zar.* 17a and not the other way around.

מעשה באשה אחת שבאת לפני ר' [אליעזר] להתניר. אמרה לו ר' קרבני. אם  
לה פרט מעשיך. אמרה לוبني הקטן מבני הנגידו. נזף בה. הלכה אצל ר' יהושע  
וקבלת. אמרו לו תלמידיו ר' אליעזר מරחק ואת מקרב? אם להם מכיוון שנתנה  
דעתה להתניר אינה חיה לעולם. שנ "כל באיה לא ישובן," ואם שבו—"לא  
ישינוי ארחות חיים."

[There was a woman who came before R. [Eliezer] to convert. She said to him: “Rabbi, accept me!” He said to her: “Articulate your actions.” She said to him, “My younger son is from (= the issue of incestuous intercourse with) my older son.” He reproached her. She went to R. Yehoshua and he accepted her. His (=R. Yehoshua’s) students said to him: “R. Eliezer is distancing and you are bringing closer!?” He said to them: “Since she decided to convert she will never live, as it says: ‘Those who go to her will never come back,’ and if they do, ‘they will not regain the paths of life.’”]<sup>33</sup>

This account is probably a hybrid of the confession story in *b. 'Abod. Zar.* 17a and the genre known from *b. Šabb.* 31a of a potential convert to Judaism who is first rejected by the “strict” figure of Shammai and then accepted by the “soft” figure of Hillel. Indeed, both R. Eliezer, who is associated with the “school” of

<sup>32</sup> See Reuven Kipperwasser, “Midrashim on Kohelet: Studies in their Redaction and Formation” (Ph.D. diss., Bar-Ilan University, 2005) 247–50 [Hebrew]; Shamma Friedman, “Historical Aggadah in the Babylonian Talmud,” in *Saul Lieberman Memorial Volume* (Jerusalem: Jewish Theological Seminary of America, 1993) 154–55 [Hebrew].

<sup>33</sup> *Eccl. Rab.* 1:8 (ms Vatican 291). There are no significant variants in the other textual witnesses.

Shammai, and R. Yehoshua, who is associated with the “school” of Hillel, uphold the characteristics attributed to their predecessors in *b. Šabb.* 31a.

While the context of the woman’s appearance before Rav Hisda in the Babylonian account remains ambiguous, in *Eccl. Rab.* the woman is presented not as a Jewish confessor, but as a non-Jewish woman who seeks to convert to Judaism. This shift is probably intended to explain the underlying connection between incest and *minut* exhibited in the original talmudic story. Since the talmudic deduction (that the woman must be guilty of *minut* since she describes her sexual crime as relatively “light”) is somewhat weak, the expression “the lightest of my light sins” is altogether omitted in the *Eccl. Rab.* version and instead the woman is portrayed as a convert. In other words, the confessional context of the Babylonian version was replaced by a conversion scene in order to explain the woman’s engagement in “heresy.”

Although it is not impossible to interpret the Babylonian story along similar lines, as reflecting a conversion scene rather than a confessional encounter, it does not seem very likely that this was the intended reading. While the Babylonian Talmud contains other stories in which non-Jews are depicted as approaching rabbis in order to convert,<sup>34</sup> there is nothing in the terminology of *b. 'Abod. Zar.* 17a to warrant such an interpretation. If conversion were at stake, we would expect the woman to say something like “convert me,” “accept me,” or “bring me under the wings of the divine presence.” But instead she simply announces, “My younger son is from my older son,” indicating the confession of her sins. In what follows, I will attempt to make sense of the Babylonian version of the story in light of its broader cultural context.

## ■ Confessing to a Religious Authority

To the best of my knowledge, the practice of disclosing one’s sins to a religious authority, a practice comprising one of the basic doctrines of Roman Catholic and Orthodox Christianity,<sup>35</sup> is, for the most part, absent from the Jewish thought of late antiquity and the early medieval period, at least until the thirteenth century. The idea of disclosing one’s sins to a sage or a religious authority is first advocated in a Jewish context by R. Yehudah Hehasid (“the pious”) in his ethical treatise *Sefer Hasidim*.<sup>36</sup> To emphasize the unusualness of this approach among Jewish writers,

<sup>34</sup> *b. Šabb.* 31a, for instance, contains several conversion stories with a similar backdrop.

<sup>35</sup> See, e.g., *Encyclopedia of Early Christianity* (ed. Everett Ferguson, Michael P. McHugh, and Frederick W. Norris; 2 vols.; 2nd ed.; Garland Reference Library of the Humanities 1839; New York: Garland, 1997) 1:273–74; 2:891–93.

<sup>36</sup> Judah ben Samuel, *Sefer Hasidim: According to the Parma Manuscript* (ed. Judah Wistinetzki and Jakob Freimann; Frankfurt am Main: Wahrmann, 1924; repr., Jerusalem: Sifre Vahrman, 1969) sec. 43 (p. 41); 630 (p. 169); and 52–53 (pp. 44–45) [Hebrew]; Joseph Dan, *R. Yehudah Hehasid* (Jerusalem: Zalman Shazar Center, 2006) 94–99 [Hebrew]; Ivan Marcus, “The Penitential Writings of the Hasidim of Ashkenaz,” in *Studies in Jewish Mysticism, Philosophy, and Ethical Literature Presented to Isaiah Tishby on his Seventy-fifth Birthday* (ed. Joseph Dan and Joseph Hacker; Jerusalem: Magnes, 1986) 369–84 [Hebrew].

however, we should point out that even R. Yehudah Hehasid's great student, R. Elazar of Worms, who followed many of his master's instructions regarding the life of piety, seems to have rejected his master's teachings on the issue of disclosure of sins to a religious authority.<sup>37</sup>

The reigning rabbinic position, according to which one ought to conceal one's sins from other people and reveal them only to God, underscores the isolation of the motif of disclosing sins in the presence of a rabbi in *b. 'Abod. Zar.* 17a. While the context in which the woman appears before Rav Hisda remains somewhat obscure, it is evident from the broader talmudic backdrop that the scene is perceived by the redactors as reflecting voluntary disclosure of sins for the sake of "confession" and penitential guidance.<sup>38</sup> According to the version in *Eccl. Rab.*, by contrast, the woman appears before the rabbi for the sake of conversion, while it is the rabbi who inquires about her actions. This (Palestinian) interpretation of the story, although placed in a similar penitential context, undermines the motif of voluntary and "confessional" disclosure of sins that characterizes the original Babylonian story. Before I examine the Zoroastrian notion of confession to a *rad* (religious authority) and the role of next-of-kin marriages in the Zoroastrian penitential system—a context that I believe to be the cultural and religious reality reflected in our passage—I would like to explore a Christian parallel to the talmudic story.<sup>39</sup>

<sup>37</sup> Dan, *Yehudah*, 99; Marcus, "Penitential Writings," 370–73.

<sup>38</sup> One may suggest perhaps that the woman in the story is simply consulting Rav Hisda with a legal matter, in which case the consultation of a rabbi would be natural. In *b. Nid.* 45a, by comparison, a woman inquires of R. Akiva whether or not she is permitted to marry a priest, after having disclosed to him that she has engaged in voluntary sexual intercourse before the age of three. In this case, the disclosure of the woman's sins is clearly not intended to be a "confession," but rather a means for resolving a practical legal concern. It appears, however, that in contrast to *b. Nid.* 45a, in which the legal question is straightforward in the talmudic text ("What is my status in terms of priesthood?" [מה אני לכהנה?]), the woman who comes before Rav Hisda does not present a legal question. She simply states: "My younger son is from my older son." Had a legal issue been at stake, we would have expected some sort of legal question, or at least some sort of legal response on the part of Rav Hisda. The lack of any "legal" terminology in this context, I would argue, strengthens my interpretation of the story in *b. 'Abod. Zar.* 17a as a story of "confession to a rabbi."

<sup>39</sup> Recent years have seen a growing awareness among scholars of the significance of Christian material in general, and Syriac Christianity in particular, for the study of the Babylonian Talmud. See, e.g., Isaiah M. Gafni, "Nestorian Literature as a Source for the History of the Babylonian Yeshivot," *Tarbiz* 51 (1981–1982) 567–76 [Hebrew]; Naomi Koltun-Fromm, "Jewish-Christian Polemics in Fourth-century Persian Mesopotamia: A Reconstructed Conversation" (Ph.D. diss., Stanford University, 1994); eadem, *Hermeneutics of Holiness: Ancient Jewish and Christian Notions of Sexuality and Religious Community* (Oxford: Oxford University Press, 2010); eadem, "Aphrahat and Rabbis on Noah's Righteousness in Light of the Jewish-Christian Polemic," in *The Book of Genesis in Jewish and Oriental Christian Interpretation* (ed. Judith Frishman and Lucas van Rompay; *Traditio exegistica graeca* 5; Louvain: Peeters, 1997) 57–71; Shlomo Naeh, "Freedom and Celibacy: A Talmudic Variation on Tales of Temptation and Fall in Genesis and Its Syrian Background," in *The Book of Genesis in Jewish and Oriental Christian Interpretation* (ed. Judith Frishman and Lucas van Rompay; *Traditio exegistica graeca* 5; Louvain: Peeters, 1997) 73–89; Adam H. Becker, "The Comparative Study of 'Scholasticism' in Late Antique Mesopotamia: Rabbis and East Syrians," *AJSR* 34 (2010) 91–113; Peter Schäfer, *The Jewish Jesus: How Judaism and*

Michal Bar-Asher Siegal has recently called attention to several intriguing similarities between certain talmudic depictions of penitence and sayings and stories found in the *Apophthegmata Patrum*, the sayings of the Egyptian desert fathers.<sup>40</sup> Most notably, her analysis of the Elazar bar Dordya story in b. 'Abod. Zar. 17a has unearthed significant affinities with the Christian genre of the repentant whore and the "Paesia" story found in the *Apophthegmata* in particular.<sup>41</sup>

The Rav Hisda story is perhaps reminiscent of another tradition found in the *Apophthegmata*. The following anecdote is told about Abba Ammonas:

Abba Ammonas advanced to the point where his goodness was so great, he took no notice of wickedness. Thus, having become bishop, someone brought a young girl who was pregnant to him, saying: "See what this unhappy wretch has done; give her a penance." But he, having marked the young girl's womb with the sign of the cross, commanded that six pairs of fine linen sheets should be given her, saying: "It is for fear that, when she comes to give birth, she may die, she or the child, and have nothing for the burial." But her accusers resumed, "Why did you do that? Give her a punishment." But he said to them: "Look, brothers, she is near to death. What am I to do?" Then he sent her away and no old man dared accuse anyone any more.<sup>42</sup>

In both stories, a woman stands before a religious authority—a rabbi or an abba—in a penitential context. In both stories the sin involved consists of one form or another of fornication. And in both stories the religious authority orders the preparation of shrouds for the sinner, under the assumption that she is likely to die. Of course, the differences are likewise considerable. In the Talmud, the woman comes to the rabbi on her own initiative, while according to the monastic tradition the girl is brought to the abba.<sup>43</sup> The point of the monastic story, moreover, is to emphasize the goodness of the abba, who sees no evil in others. He orders the preparation of the shrouds as an act of charity, as the girl is pregnant and she or her baby might die in labor. It seems, however, that Abba Ammonas might be worried that the girl will die in labor precisely because of her sin, and not merely because of natural

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*Christianity Shaped Each Other* (Princeton, N.J.: Princeton University Press, 2012); Jeffrey L. Rubenstein, "A Rabbinic Translation of Relics," in *Ambiguities, Complexities and Half-Forgotten Adversaries: Crossing Boundaries in Ancient Judaism and Early Christianity* (ed. Kimberly Stratton and Andrea Lieber; forthcoming); and Bar-Asher Siegal, "Literary Analogies."

<sup>40</sup> On the collection of the sayings of the desert fathers, see Benedicta Ward, *The Sayings of the Desert Fathers: The Alphabetical Collection* (London: Mowbray, 1981); Douglas Burton-Christie, *The Word in the Desert: Scripture and the Quest for Holiness in Early Christian Monasticism* (Oxford: Oxford University Press, 1993); Graham Gould, *The Desert Fathers on Monastic Community* (Oxford: Clarendon, 1993) 9–17; and Bar-Asher Siegal, "Literary Analogies," 47–76.

<sup>41</sup> Ward, *Sayings*, 93–94; eadem, *Signs and Wonders: Saints, Miracles and Prayers from the 4th Century to the 14th* (Collected Studies 361; Hampshire, U.K.: Variorum, 1992) 41; and Susanna Elm, *Virgins of God: The Making of Asceticism in Late Antiquity* (Oxford: Clarendon, 1994) 258.

<sup>42</sup> Ammonas 8 (ed. Ward, 23).

<sup>43</sup> However, according to some textual witnesses, the talmudic story can also be interpreted in this manner.

causes. If this interpretation is correct, then the abba is in fact envisioning the girl's death just as Rav Hisda does in the talmudic story.

Certain elements that are present in the rabbinic story or in its immediate talmudic context are absent from the monastic tradition. These elements include a voluntary disclosure of the sin to a religious authority; an unsuccessful attempt by the sinner to minimize the severity of her sins; incestuous relations between mother and son; and the concern with heresy.<sup>44</sup>

In what follows I would like to suggest, therefore, that while the monastic tradition illuminates certain aspects of the talmudic story, our passage reflects, first and foremost, the Zoroastrian notion of penitence and confession to a *rad*, and the Zoroastrian doctrine of next-of-kin relations. Unlike the Elazar bar Dordya story that seems to reflect the monastic genre of stories about repenting harlots, I believe that the story of Rav Hisda and the penitent reflects a different cultural setting altogether. The peculiarities in the talmudic passage can be significantly illuminated when viewed against the backdrop of Pahlavi discourse on penitence and the role of next-of-kin relations in Zoroastrianism.

## ■ Confessing to a *Rad*

The significance of repentance in Zoroastrianism emerges already in the Young Avestan tradition and especially in the *Videvdad*.<sup>45</sup> The Pahlavi texts further discuss the details of the mental, verbal, and physical elements of the penitential process, namely remorse, verbal confession, commitment not to relapse into sin in the future, monetary compensation, and physical punishment.<sup>46</sup>

According to the Pahlavi tradition, confession, contrition, and remorse must be performed in the presence of a *rad* and cannot be carried out in private.<sup>47</sup> A fundamental distinction is made, however, between sins committed against one's fellow humans and sins committed against one's soul, as only the latter require the presence of a *rad*:<sup>48</sup>

<sup>44</sup> Some of these elements are present perhaps in other monastic traditions, but not in the story about the fornicating girl, which bears other similarities to the Babylonian passage.

<sup>45</sup> The younger part of the Avestan corpus was probably crystallized (orally) during the first half of the first millennium B.C.E. See especially Prods Oktor Skjærvø, "Avestan Quotations in Old Persian? Literary Sources of the Old Persian Inscriptions," in *Irano-Judaica: Studies Relating to Jewish Contacts with Persian Culture throughout the Ages* (ed. Shaul Shaked and Amnon Netzer; 6 vols.; Jerusalem: Ben-Zvi Institute, 1891–2008) 4:1–64; idem, "The Antiquity of Old Avestan," *Nāme-ye Irān-e Bāstān: The International Journal of Ancient Iranian Studies* 3 (2003–2004) 15–41.

<sup>46</sup> On repentance in Zoroastrianism, see Jes P. Asmussen, *X<sup>U</sup>āstvāñīft: Studies in Manichaeism* (Acta theologica Danica 7; Copenhagen: Prostant Apud Munksgaard, 1965) 26–112; Yishai Kiel, "The Systematization of Penitence in Zoroastrianism in Light of Rabbinic and Islamic Literature," *Bulletin of the Asia Institute* 22 (2008) [2012] 119–35; and idem, "Penitential Theology in East Late Antiquity: Talmudic, Zoroastrian, and East Christian Reflections," *JSJ* 45 (2014) 551–83.

<sup>47</sup> On the office of the *rad* see Philip G. Kreyenbroek, "On the Concept of Spiritual Authority in Zoroastrianism," *Jerusalem Studies in Arabic and Islam* 17 (1994) 1–15.

<sup>48</sup> This division is reminiscent of the rabbinic distinction between sins committed against one's

*wināh ī hamēmālān andar hamēmālān wizārišn. ud ān ī ruwānīg andar radān wizārišn.*

*ud ka-iz (ī) dēn-radān framāyēnd kunēnd wināh bē šawēd.*

*ud kerbag ī az ān frāz kunēnd uspurrīg bē rasēd.*

[A sin (against?) one's fellowmen [*hamēmāl*] should be resolved among one's fellowmen. And a sin against one's soul should be resolved among the *rads*. And, also, if they do what the *rads* of the religious tradition [*dēn*] command, the sin goes away. And (the merit of) any good deed they perform thenceforth comes (to them) complete.]<sup>49</sup>

*ka-š wināh andar hamēmālān kerd estēd . . .*

*ā-š pēš hamēmālān pad patīt bawišn.*

*ud ka nē pēš ī radān pad patīt bawišn.*

[If he has committed a sin against (his) fellowmen . . .

then he should be contrite before his fellowmen. And if not, then he should be contrite before the *rads*.]<sup>50</sup>

The first of these passages addresses the element of monetary compensation, while the second addresses the element of contrition. Regarding both elements of penitence, the author makes it clear that only sins committed against one's soul require the presence of a *rad*, while sins involving wrongdoing against one's fellow humans must be resolved with the relevant party and compensation should be made to him or her. When sins are committed against the soul and must, therefore, be resolved in the presence of a *rad*, the penitential instructions of the *rad* must be scrupulously carried out.

Several Pahlavi texts address the question of who is worthy of accepting confession from sinners, emphasizing the spiritual responsibility associated with holding the position of *rad*. The following text instructs the *rad* (and perhaps also the offended party in cases of wrongdoing against one's fellow human) to listen carefully to the sinner and forbids the shaming of the sinner or the divulging of the sinner's secrets:

*ud ān kē pēš patīt bawēd ā-š xūb bē niyōšišn u-š nē āwēnišn u-š rāz bē nē barišn.*

*čē ka pad wināh ī kerd bē āwēnēd ayāb rāz bē barēd ā-š hāwand bawēd.*

fellow humans and sins committed against God. See *m. Yoma* 8:9; Shaul Shaked, "Items of Dress and Other Objects in Common Use: Iranian Loanwords in Jewish Babylonian Aramaic," in *Iran-Judaica: Studies Relating to Jewish Contacts with Persian Culture throughout the Ages* (ed. Shaul Shaked and Amnon Netzer; 6 vols.; Jerusalem: Ben Zvi Institute, 1981–2008) 3:109 n. 53; Janos Jany, "Criminal Justice in Sasanian Persia," *Iranica Antiqua* 42 (2007) 347–86, at 355; and Maria Macuch, "On the Treatment of Animals in Zoroastrian Law," in *Iranica Selecta: Studies in Honour of Professor Wojciech Skalmowski on the Occasion of His Seventieth Birthday* (ed. A. van Tongerloo; Silk Road Studies 8; Turnhout: Brepols, 2003) 173–74.

<sup>49</sup> ŠnŠ 8.1 (ed. Tavadia, 104).

<sup>50</sup> ŠnŠ 8.14 (ed. Tavadia, 111).

[And he before whom he shows contrition (confesses) should listen to him well and should not despise him<sup>51</sup> and should not divulge his secrets.<sup>52</sup> For, if he despises (him) for the sins he has committed or divulges his secrets, he becomes just like him.]<sup>53</sup>

Regarding the prohibition on divulging the confessor's secrets, a subsequent passage tells the story of Ādurbād, son of Zardušt, who appoints one of his students to accept confession from sinners. The student is not secretive enough, however, and divulges the secrets of his confessors. For his lack of secrecy, Ādurbād divests him of his newly acquired office and orders that he never appear before him again. Despite the student's genuine remorse, Ādurbād refuses to let him resume his status as confessional authority.<sup>54</sup>

Another passage deals with the qualities required of a person who seeks to be appointed to a confessional office.<sup>55</sup> The text considers the person's knowledge of the Zand (the traditional translation and commentary on the Avesta), his knowledge of the punitive measures suitable for different types of sins, and the requirement of "grooming" himself (perhaps metaphorically or spiritually). There are some authorities, however, who also require the undertaking of priestly education in the *hērbedestān* (the official institution of priestly training), beyond mere knowledge of the Zand. These authorities seem to hold that only an "ordained" priest is authorized to accept confession, and not simply anyone who has extensive knowledge of the Zand.<sup>56</sup>

The role of the *rad* in the penitential process is particularly emphasized in the case of offenders who are classified as *margarzān* (worthy of death). The category of *margarzān* represents the severest class of sin in the Pahlavi punitive system. While the term is not mentioned in the Avesta, it is often used by the Pahlavi glossators to explain the punitive class of *tanābuhl* (Av. *tanu-perθa*, "whose body is forfeit"). In some Pahlavi texts, however, the term *margarzān* designates a distinct class of sin<sup>57</sup> that is even severer than *tanābuhl*.<sup>58</sup>

Whether it is possible to atone for a *margarzān* sin (with or without death) is somewhat of a puzzle since there are contradicting statements on the matter in

<sup>51</sup> On the notion of not despising penitents for their sins, see further *Dk.* 6.13, 14, 228 (ed. Shaked, 69, 88–89). The rabbis similarly forbid the practice of "reminding" penitents of their sins. See *Sifra, Behar* 4:2 (ed. Isaac Hirsch Weiss, *Siphra d'Be Rab* [Vienna: Schlossberg, 1862] 107b); *m. B. Meṣ* 4:10; and *b. B. Meṣ*. 58b.

<sup>52</sup> This element is reminiscent of the seal of confession in Roman Catholic and Orthodox Christianity.

<sup>53</sup> *ŠnŠ* 8.9 (ed. Tavadia, 107).

<sup>54</sup> *ŠnŠ* 8.10 (ed. Tavadia, 108).

<sup>55</sup> *ŠnŠ* 8.11 (ed. Tavadia, 108).

<sup>56</sup> For the role of religious knowledge in Zoroastrian priestly authority see Kreyenbroek, "Spiritual Authority," 1–5; Moulie Vidas, "Traditions and the Formation of the Talmud" (Ph.D. diss., Princeton University, 2009) 134–92; and Yishai Kiel, "The Authority of the Sages in the Babylonian Talmud: A Zoroastrian Perspective," *Shnaton Hamishpat Ha'ivri* 27 (2012–2013) 131–74 [Hebrew].

<sup>57</sup> See, e.g., *ŠnŠ* 2.81–82 (ed. Tavadia, 60).

<sup>58</sup> Jany, "Criminal Justice," 367–70.

the extant Pahlavi literature.<sup>59</sup> The following passage requires, in this regard, that *margarzān* sinners submit body and property solely to their *rad* for corporal and monetary punishment. If sinners indeed submit their body and property, fulfill the penitential instructions prescribed by the *rad*, and are remorseful in thought, they will not go to hell and the good deeds they perform prior to the sin will accrue to their account:

*margarzān ka-š tan ud xwāstag ēwāz ō radān abespārd  
ud pad wināh ī jastag menišnīg pad patīt bawēd  
u-š radān pad kār ud kerbag dastwarīh dahēnd  
ā-š kār ud kerbag ī pēš kerd abāz rasēd  
ud ka andar 3-šabag pādirfrāh kunēnd ō dōšox nē rasēd.*

[A person who is *margarzān* (worthy of death), when he has given up body and property only to the *rads* and is in contrition in thought for the sin that occurred to him, and the *rads* give him guidance regarding work and good deeds, then the work and good deeds he has done before come back to him. And, if they punish him during the three-night period (after his death), he will not go to hell.]<sup>60</sup>

According to the following passages, the *rad* has the undisputed authority to order the death sentence for *margarzān* offenders and the sinners are not redeemed unless they fulfill the instructions of the *rad* and submit themselves to death:

*ud agar rad sar brīdan framāyēd pad gyāg ahlaw.  
ud sidōš ūh yazišn  
u-š āmār ī sidōš abar nē bawēd.*

[And, if the *rad* orders his head to be cut, he becomes *ahlaw* (righteous) on the spot, and a *sidōš* (the third dawn after the death ritual) should be celebrated (on his behalf), and the reckoning of the *sidōš* does not come upon him.]<sup>61</sup>

*ka margarzān-ēw kerd estēd ud menišnīg pad patīt bawēd  
ud rad dānēd kū ka-š tan bē abāyēd dādan ā bē dahēd  
  
pādixšāy ka-š bē ūzanēd  
hād čē pad sūd ī Ohrmazd estēd.*

<sup>59</sup> Thus according to *ŠnŠ* 2.107–8 (ed. Tavadia, 67–68) and *PV* 3.14 (ed. Moazami, 75–81), *margarzān* sinners have no purification and redemption for “eternity,” while *ŠnŠ* 8.5–6 (ed. Tavadia, 105–6) and *ŠnŠ* 8.18 (ed. Tavadia, 113) prescribe a process of expiation for *margarzān* sinners. See Jany “Criminal Justice,” 348–61.

<sup>60</sup> *ŠnŠ* 8.5 (ed. Tavadia, 105–6); cf. *ŠnŠ* 8.2 (ed. Tavadia, 104).

<sup>61</sup> *ŠnŠ* 8.6 (ed. Tavadia, 106). For the *sidōš* ceremony see *PRDD* 15a5 (ed. Williams, 1:81, 2:27–28); *DD* 13.2, 40.5 (ed. Jaafari-Dehaghi, 60–61, 170–71); and *REA* 26.6 (ed. Safā-İsfahānī, 187–88).

[If he has committed a *margarzān* and is mentally contrite and the *rad* knows that, when he must give (over) his body, then he will give it (over). Is he authorized to kill him? Yes, because it is to Ohrmazd's benefit.]<sup>62</sup>

Whether or not these passages reflect a custom that was actually practiced during the Sasanian period is unclear, but what can be said with some certainty is that, in the minds of the priests who composed and transmitted these traditions, the process of penitence was not complete until the sinner had confessed his or her sins to a *rad* and followed the penitential instructions inflicted by the *rad*, even to the extent of acquiescing to one's own death.

### Rav Hisda as *Rad*

Before I discuss the role of *xwēdōdah* in the Zoroastrian penitential system and its significance for the talmudic passage, I would like to contextualize the “confessional encounter,” in and of itself, with the Pahlavi treatment of penitence. My reading suggests that the Babylonian redactors of the story were familiar, in one way or another, with contemporaneous Zoroastrian penitential procedures. It makes no difference for the purposes of the present argument whether the procedures described in the Pahlavi works were actually practiced during the Sasanian period—and thus the Babylonian rabbis would have possibly witnessed those practices—or whether we are dealing with literary traditions with which the rabbis were somehow familiar. The fact of the matter is that the talmudic passage reflects crucial elements of the Zoroastrian discourse on penitence and, at the same time, is somewhat at odds with other rabbinic texts on repentance.

In light of the inconsistency of the confession story in *b. 'Abod. Zar.* 17a with other rabbinic reports on penitence, I suspect that the Talmud is knowingly invoking the Zoroastrian backdrop of confession to a *rad*. While the story itself does not necessarily reflect a “confession scene,” it was the conscious choice of the redactors to incorporate this story into a broader discussion of repentance. In that respect, the authors seem to invoke the Zoroastrian notion of confessing to a *rad* by portraying the encounter between Rav Hisda and the sinner in a similar way: the rabbi listens to a confession, determines the penitential measures for the sin, and ultimately exercises his “authority” to announce the unavoidability of the sinner’s death. While, in the limited context of the story itself, Rav Hisda may simply be assuming the devastating effects of a grievous sin, in the context of the broader talmudic discussion he is in fact determining that death is the only way to atone for the sins that were disclosed to him.

There are several points of similarity between the function of the *rad* in the Pahlavi penitential system and Rav Hisda’s role in the talmudic story: 1) Rav Hisda, like a *rad*, is consulted with regard to a matter of penitence. 2) Rav Hisda foresees/predicts the death of the confessor, which means, according to the redactors, that

<sup>62</sup> ŠnŠ 8.21 (ed. Tavadia, 114).

death is the only penitential path available for the sins under consideration. Similarly, the *rad* has the undisputed authority to determine whether death is necessary for rectification. 3) Both Rav Hisda and the *rad* do not function as criminal judges in this equation, in the sense that a judge may issue a “death sentence” in a criminal context. Rav Hisda simply informs us that death is unavoidable if penitence is indeed desired. According to one version of the story, moreover, Rav Hisda’s prediction of death is not fulfilled since the penitence is insincere. Similarly, Zoroastrians who commit sins against their souls are encouraged to approach a *rad* and submit their bodies to his authority. If the *rad* believes that a sinner has sincerely submitted his or her body he *may* decide that death is necessary. 4) As a rabbi, Rav Hisda’s authority in the confession scene does not seem to depend on his spiritual or prophetic abilities but rather on the knowledge he possesses in the religious tradition. Similarly, the *rad*’s authority to receive confession depends primarily on his religious knowledge—his ability to memorize the Zand, his knowledge of sins and punishments, and his priestly education. 5) The underlying assumption of both the talmudic and Zoroastrian discussions is that certain crimes—whether labeled *margarzān* or *minut*—are considered so severe that full rectification can only be achieved upon the sinner’s death.

### ■ “*Xwēdōdah Cancels a Margarzān*”

I will now turn to the Zoroastrian doctrine of *xwēdōdah*, which underlies the incestuous encounter reported in the talmudic story. In this context, I will not attempt to survey all of the different aspects of this important Zoroastrian doctrine,<sup>63</sup> but mainly its role in the penitential system, as this issue in particular seems to inform the talmudic story.

*Xwēdōdah* is commonly mentioned in Pahlavi literature among the most righteous deeds in Zoroastrianism. The *Mēnōy Xrād* mentions *xwēdōdah* among the greatest deeds, alongside *rādīh* (generosity), *rāstīh* (truthfulness), the celebration of the *gāhānbār* festivals, and the recitation of the *dēn* (religious tradition).<sup>64</sup> The very same virtues and good deeds are mentioned by Kerdīr in his third-century inscription on the Ka‘ba-ye Zardošt at Naqš-e Rostam near Persepolis.<sup>65</sup> Alongside his other

<sup>63</sup> The main Pahlavi texts concerning *xwēdōdah* are *Dk.* 3.80 (ed. de Menasce, 85–90; Prods Oktor Skjærvø, *The Spirit of Zoroastrianism* [Sacred Literature Series; New Haven, Conn.: Yale University Press, 2011] 202–7); *PRDD* 8 (ed. Williams, 2:11–17); *REA* 22, 27–30 (ed. Safā-Iṣfahānī, 156–58, 190–98); *Hb.* 6.7 (ed. Kotwal and Kreyenbroek, 45); *Hb.* 2.9 (ed. Kotwal and Kreyenbroek, 32–33); *MHD* 44.8–14 (ed. Macuch, 303–4, 319–20), 104.9–11 (ed. Macuch, 618, 626), 105.5–10 (ed. Macuch, 640, 647); *MHDA* 18.7–12 (ed. Macuch, 41, 164–65); and *RAF* 20.1–2, 143.1–4 (ed. Anklesaria, 56, 121–22). A comprehensive discussion of *xwēdōdah* can be found in Prods Oktor Skjærvø, “Marriage II: Next-of-Kin Marriage in Zoroastrianism,” in *Encyclopedia Iranica*, n.p., accessed July 31, 2014, <http://www.iranicaonline.org/articles/marriage-next-of-kin>; and Yishai Kiel, “Reading Incest in the Babylonian Talmud.”

<sup>64</sup> *Mēnōy Xrād* 3.4–5.

<sup>65</sup> This, in fact, is the earliest attestation of the term *xwēdōdah* in Middle Persian. On Kerdīr’s

religious achievements, Kerdīr mentions that he performed (*kerd*) *xwēdōdahs*.<sup>66</sup> Prods Oktor Skjærvø concludes that, although the inscription does not elaborate on the matter, it confirms the existence of the term and practice of *xwēdōdah* at the beginning of the third century.<sup>67</sup>

If one accepts the basic historicity of the talmudic story, the Talmud may provide another important piece of evidence regarding the practice of *xwēdōdah* in the early Sasanian period, as Rav Hisda was more or less a contemporary of Kerdīr. Whether the woman in the story was a Zoroastrian who sought to convert to Judaism or an acculturated Jew, she was probably engaged in the consummation of *xwēdōdah*. One must keep in mind, however, that the third-century setting of the story may be fictitious, and the story may very well reflect the historical and cultural reality of the late Sasanian period and the time of the redaction of the Babylonian Talmud.

The *Pahlavi Rivāyat Accompanying the Dādestān ī Dēnīg* contains a somewhat different list of the greatest deeds in Zoroastrianism and accords the highest virtue to the performance of *xwēdōdah*:

gyāg-ēw paydāg kū ohrmazd bē ō zardušt guft kū čahār tis ēn pahlom  
yazišn ī ohrmazd ī xwadāy  
ud ātaxš ēsm ud bōy ud zōhr dādan  
ud mard ī ahlaw šnāyēnīdan  
ud kē abāg burdār ayāb duxt ayāb abāg xwah xwēdōdah kunēd  
ud az ān hamāg ān meh ud weh ud pahlom kē xwēdōdah kunēd

[In one place (it is) revealed that Ohrmazd said to Zarathustra: “These (are) the four best things: worship of Ohrmazd, the Lord; and offering firewood and incense and oblation (to) the fire; and satisfying (the needs of) the priest; and he who practices *xwēdōdah* with (his) mother or daughter or with (his)

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inscriptions, see Michael Back, *Die sassanidischen Staatsinschriften. Studien zur Orthographie und Phonologie des Mittelpersischen der Inschriften zusammen mit einem etymologischen Index des mittelpersischen Wortgutes und einem Textcorpus der behandelten Inschriften* (Acta Iranica 18.3; Textes et mémoires 8; Tehran: Bibliothèque Pahlavi, 1978) 384–479; Philippe Gignoux, *Les quatre inscriptions du mage Kirdīr. Textes et concordances* (Collection des sources pour l’histoire de l’Asie centrale pré-islamique 2; Studia Iranica 9; Paris: Association pour l’avancement des études iraniennes, 1991); David N. Mackenzie, “Kerdīr’s Inscription,” in *The Sasanian Rock Reliefs at Naqsh-i Rustam, Naqsh-I Rustam 6, the Triumph of Shapur I (Together with an Account of the Representations of Kerdīr)* (ed. Georgina Herrmann; Iranische Denkmäler 13.2; Iranische Felsreliefs 1; Berlin: Reimer, 1989) 35–72; Prods Oktor Skjærvø, “‘Kerdīr’s Vision’: Translation and Analysis,” *Archäologische Mitteilungen aus Iran* 16 (1983) 269–306; and idem, “Counter-Manichean Elements in Kerdīr’s Inscription: Irano-Manichaica II,” in *Atti del terzo congresso internazionale di studi “Manicheismo e Oriente cristiano antico.” Arcavacata di Rende, Amantea, 31 agosto–5 settembre 1993* (ed. Luigi Cirillo and Alois van Tongerloo; Manichaean Studies 3; Louvain: Brepols, 1997) 313–42. See also the literature cited in Shaul Shaked, *Dualism in Transformation: Varieties of Religion in Sasanian Iran* (London: School of Oriental and African Studies, University of London, 1994) 35.

<sup>66</sup> Mackenzie, “Kerdīr’s Inscription,” 59; Gignoux, *Quatre inscriptions du mage Kirdīr*, 64–65, 72.

<sup>67</sup> Skjærvø, “Next-of-Kin.”

sister. And of all those, he who practices *xwēdōdah* is greatest and best and foremost.”]<sup>68</sup>

The second and third chapters of the *Hērbedestān* discuss the relative merit of different religious acts, such as going to the *hērbedestān* (the priestly “study-house”) in pursuit of priestly education and maintaining the family estate.<sup>69</sup> In one passage, the relative merit of *xwēdōdah* is contrasted with that of going to the *hērbedestān*:

*kirbag az hērbedestān kerdan kirbag ōh bawēd nē ēdōn bawēd čiyōn  
xwēdōdah čē ēn dō tis ān tis ēw  
ast kē ēdōn gōwēd hād ān-iz har dō ōh bawēd  
ān and hērbedestān kerdan čiyōn yašt-ēw bē kerdan*

[The merit from going to *hērbedestān* is a merit in the usual way. It is not like *xwēdōdah*, for the latter is two things, the former one thing. There is one who says: Well, both those, too, are in the usual way. Going to do priestly studies is as much as performing one *yasna* (worship, ritual).]<sup>70</sup>

While this passage is somewhat ambiguous, there seems to be a dispute among the sages as to whether *xwēdōdah* is considered more meritorious than going to the *hērbedestān* in pursuit of priestly studies or whether they are equally meritorious.

In a list of advice ascribed to Zarathustra in *Dēnkard* 5.9.13–14, *xwēdōdah* is mentioned as one of the foremost ways to veil severe sins. Here, *xwēdōdah* is not only regarded as meritorious but is also believed to counter the effects of sin:

*ud abārīg ī padīrag ān ī abar wināh guft paydāg  
andar hudēnīh āstuwānīh pad-iz yašt kardan andarrōn ēd sē āstuwānīh ī ast  
erīh hudēnīh ud yašt kardan xwēdōdah ud abestāg yaštan ud gāhānbār ud  
abārīg ptw'l (?) ī yazdān*

[And (as for) the rest (of the merits) that veil the worst sins it is said (that the following are) manifest: believing in the good *dēn* [religious tradition] and (believing) in the performance of sacrifices—in which there are these three beliefs: in Iranian-ness, in the good *dēn*, and in the performance of sacrifices—*xwēdōdah*, the performing (reciting) of the Avesta and the *gāhānbār*, and the rest of the . . . of the Gods.]<sup>71</sup>

In another Pahlavi text it is taught that *xwēdōdah* obliterates the effects of a *margarzān* offense. According to a tradition preserved in *ŠnŠ* 8.18, despite the severity of *margarzān* sins, the consummation of *xwēdōdah* is considered so meritorious and praiseworthy that it utterly cancels the effects of a *margarzān*. This notion is particularly illuminating in the context of the talmudic story. While the Pahlavi texts maintain that *xwēdōdah* cancels a death-deserving sin, Rav

<sup>68</sup> PRDD 8c1–2 (ed. Williams, 1:50–51, 2:11).

<sup>69</sup> On this passage see Yishai Kiel, “Study Versus Sustenance: A Rabbinic Dilemma in Its Zoroastrian and Manichaean Context,” *AJSR* 38.2 (2014) 1–28.

<sup>70</sup> *Hb.* 2.9 (ed. Kotwal and Kreyenbroek, 32–33).

<sup>71</sup> *Dk.* 5.9.13–14.

Hisda seems to maintain that incestuous intercourse between mother and son is precisely the type of sin that causes the death of the offender. The implications of this juxtaposition will be further appreciated below.

*Narseh-burzmihr ēn wāzag sē guft kū  
xwēdōdah margarzān bē kanēd...*

[Narseh-burzmihr said the following three things: *xwēdōdah* cancels a *margarzān* (sin) . . .]⁷²

A similar notion is expressed in the anonymous *Pahlavi Rivāyat Accompanying the Dādestān ī Dēnīg*:

*ēn-iz kū xwēdōdah ēdōn abd ī ān ī garāntom wināh čiyōn jādūgīh ī margarzān bōxtišn az dōšox*

[This also (is revealed), that *xwēdōdah* is so miraculous, it is the salvation from hell (from) the most grievous sin, such as death-deserving sorcery.]⁷³

In light of the Zoroastrian doctrine according to which the consummation of *xwēdōdah* functions as a means of penance that cancels the effects of a death-deserving crime, I would like to propose that the talmudic story functions as a rabbinic “counternarrative” to the merit associated with *xwēdōdah* in Zoroastrianism. While in the Pahlavi texts the consummation of the righteous and pious act of *xwēdōdah* prevents the death of a sinner, in the talmudic story the performance of incest is precisely what brings Rav Hisda to order the preparation of the sinner’s shrouds. The very same act of mother-son sexual engagement that is considered to be so meritorious in the Zoroastrian tradition—to the extent of preventing the lethal effects of a crime worthy of death—becomes the source of death for the sinner in the talmudic narrative.

In the Talmud, the sinner does not acknowledge the severity of her sin, but maintains that her sin is the “lightest of light sins.” If this is not merely a literary flourish, it is tempting to speculate that the sinner is portrayed as an acculturated Jewish woman who simply acts in accordance with the norms of her Zoroastrian environment. It may be the case that the sinner genuinely does not understand why the rabbis are making such a fuss over her “natural” sexual preferences.<sup>⁷⁴</sup> The Talmud thus conveys a sense of disproportion between the “Jewish” attitude towards

<sup>⁷²</sup> ŠnŠ 8.18 (ed. Tavadia, 113); cf. REA 29 (ed. Safā-Iṣfahānī, 197–202); Ervad Bamanji Nusserwanji Dhabhar, *The Persian Rivayats of Hormazyar Framarz and Others: Their Version with Introduction and Notes* (Mumbai: K. R. Cama Oriental Institute, 1932) 210–11.

<sup>⁷³</sup> PRDD 8b1 (ed. Williams, 1:50–53, 2:11). See also ibid., 134 n. 8; *Persian Rivāyats* (ed. Dhabhar, 210).

<sup>⁷⁴</sup> I discussed the possibility of acculturation in this case with Yaakov Elman, who agreed with my reading of the passage. For other instances of “sexual acculturation” in Sasanian Babylonia, see Yaakov Elman, “‘He in His Cloak and She in Her Cloak’: Conflicting Images of Sexuality in Sasanian Mesopotamia,” in *Discussing Cultural Influences: Text, Context, and Non-Text in Rabbinic Judaism* (ed. Rivka Ulmer; Lanham, Md.: University Press of America, 2007) 129–63.

incest reflected in Rav Hisda's response and the partially "Zoroastrian" attitude reflected by the lay confessor. The latter seems to understand that in the context of her religious tradition, incest is not a merit—after all she is confessing a sin<sup>75</sup>—but she fails to appreciate the severity of the act in the religious hierarchy of sins.

It is possible, although far from certain, that the story preserves some form of historical kernel, perhaps even the memory of a real encounter that took place in the third century. If this is the case, the clash between Rav Hisda's position and the confessor's expectations may reflect the tensions that existed between resistant and acculturated Babylonian Jews in the early Sasanian period. It seems more likely, however, that the story reflects, first and foremost, the concerns of its creators and editors, in which case the story would tell us more about the rabbis of the late Sasanian period who imagined such an encounter. But even if the confessor and her incestuous story are merely figments of the rabbis' imaginations, her character is typologically constructed as a way to engage the problem of Jewish acculturation to Zoroastrian norms.

The performance of *xwēdōdah* by a Zoroastrian is compared in the Pahlavi texts to the conversion of an infidel and his return to the good religious tradition (*dēn*). This notion seems to illuminate the connection made in the Babylonian Talmud between repenting from *minut* and incest. While the Pahlavi texts compare the merit of *xwēdōdah* with the merit of repenting and turning from the evil religion to Zoroastrianism, the Babylonian Talmud implicitly connects the sin of incest with the inexpiable sin of *minut*.

*ud ag-dēn-ēw kerbag ēn meh ka az dād ī ag-dēnīh bē ō weh-dēn āyēd  
ud weh-dēn pas az ān ka-š yašt kard kerbag-ēw ēn meh ka xwēdōdah kunēd  
čē ān xwēdōdahīh rāy kū ēdōn arzōmand ud sahīg ud mahist zaniš ī dēwān*

[And (for) an infidel this (is) the greatest virtue, if he comes from the law of evil religion to the good religion; and (for) the man of the good religion, after he has performed worship, this (is) the greatest virtue, if he performs *xwēdōdah*, for on account of that *xwēdōdah*, which (is) so valuable and worthy and very great, (there is) the smiting of demons.]<sup>76</sup>

Above, I questioned the logic of the talmudic inference, according to which if incest is the lightest of the confessor's crimes then she must have also been guilty of *minut*. This deduction is hardly necessary and assumes, rather arbitrarily, that *minut* is worse than sexual abominations. The Zoroastrian context provides us, I believe, with the solution to this puzzle. The reason the Talmud assumes that the confessor is guilty of *minut* is not because of some obscure deduction suggesting

<sup>75</sup> The interpretation of this encounter in *Eccl. Rab.* suggests that the woman was a non-Jew who sought to convert to Judaism, and not an acculturated Jew. While this is probably not the original meaning of the talmudic story, even if one were to insist on this interpretation, the passage could still be read as a counternarrative to the Zoroastrian doctrine of *xwēdōdah*.

<sup>76</sup> PRDD 8a1 (ed. Williams, 1:48–49, 2:10).

that the confessor must have done something worse than incest. In contrast to this understanding of the passage, I propose that the reason *minut* is assumed (מכל נמי הויא בה) has to do with the fact that the confessor acts as a perfectly righteous Zoroastrian. In other words, the fact that the confessor refers to her incestuous engagement in such a relaxed manner suggests that she is a Zoroastrian or an acculturated Jew who complies with Zoroastrian norms.<sup>77</sup> The reason, then, that the redactors incorporated this confessional anecdote in the first place into a discussion concerning *minut* is precisely because of the Zoroastrian features displayed in the story, suggesting that *minut* is at stake.

To be sure, the connection assumed between incest and *minut* in the talmudic story appears to engage the Pahlavi context in an even more significant way, as the Pahlavi texts explicitly compare the merit of *xwēdōdah* with the merit of turning away from heresy. Just as the conversion of an infidel to Zoroastrianism “wipes off every bad thought, every bad word, every bad deed,”<sup>78</sup> so does the performance of *xwēdōdah* for a Zoroastrian.<sup>79</sup> When read against this backdrop, the Babylonian Talmud seems to maintain the very same doctrinal connection between incest and conversion from heresy, but the message is diametrically opposed. Incest is indeed akin to heresy, as in both cases the ability to repent from sin is compromised.

Finally, I would like to suggest that the particular form of incest addressed in the talmudic story (namely, that of mother and son) can also be illuminated by the Pahlavi discourse of *xwēdōdah*. Several Pahlavi texts maintain that of all forms of *xwēdōdah* (father-daughter, mother-son, and brother-sister) the one performed between mother and son is considered the most righteous and meritorious. The following passage explains the superiority of mother-son incest by alluding to the fact that they are most closely connected, as the son comes directly from the mother’s body:<sup>80</sup>

*ēn-iz paydāg kū  
mard-ēw ka xwēdōdah ēk abāg burdār ud ēk abāg zahag-duxt, ān ī abāg  
burdār abar öy ī did  
radān gōwēnd ed rāy čē-š ān ī az tan bē āmad nazdīktar*

[This also is manifest: When a man practices one *xwēdōdah* with his mother, and one with his child-daughter, the one with (his) mother is superior to the

<sup>77</sup> The use of the term *minut* in reference to Zoroastrianism should not surprise us. There are in fact other examples of such usages in the Babylonian Talmud, in which *minut* seems to refer specifically to Zoroastrianism and not to Christianity or some form of Judeo-Christianity. For a recent example, see Secunda, “Reading the *Bavli* in Iran,” 310–42.

<sup>78</sup> Cf. *Videvdad* 3.41–42.

<sup>79</sup> According to *PRDD* 8a1 (ed. Williams, 1:49, 2:10).

<sup>80</sup> The ties (*paywand*) and connections that already exist between relatives and members of the same family are believed to be multiplied and strengthened by uniting with those relatives sexually. See for instance *Dk.* 3.80.3 (ed. de Menasce, 85).

other; the spiritual authorities say it is because he who has come from her body is nearer (to her).]<sup>81</sup>

The following text also underscores the importance and significance of mother-son copulation in the Pahlavi tradition:

*ud ān ī az pus ud mādar zāyēd brād-iz bawēd ham pidar ēd rāh ī wēš rāmišn ī niyāyišn ī urwāhm nē [ud agar] padiš ēč ziyān ī frāy az sūd ī nē-iz āhōg ī frāy az hučihr*

[And if it is a child born from a son and his mother, he is also the father's brother. This is the road to more joy and bliss. And there is no harm from it greater than the benefits from it, nor any blemish greater than the beauty of it.]<sup>82</sup>

It is illuminating to compare the significance of mother-son *xwēdōdah* in the Pahlavi sources with the Talmud's choice to focus on mother-son incest. In contrast to the Pahlavi sources, which view this type of *xwēdōdah* as the "greatest form of the greatest merit," the Talmud views this type of relationship as one of the greatest sins possible, and associates it with *minut*. The expression the "lightest of light sins" attributed to the confessing sinner, although possibly rhetorical hyperbole, may also be a playful counterargument to the Zoroastrian doctrine.

## ■ Conclusions

Nearly a decade ago, Eli Ahdut devoted a short discussion in his article on Jewish-Zoroastrian polemics to a passage from *b. Yebam.* 97b containing enigmatic riddles pertaining to incestuous unions.<sup>83</sup> According to Ahdut, the riddles were intended as a polemical device against the Zoroastrian practice of *xwēdōdah*. While his interpretation of the riddles as a means of confrontation can be questioned,<sup>84</sup> I generally agree with him that the talmudic riddles, which are completely absent from Palestinian works, reflect awareness on the part of the Babylonian rabbis of the Zoroastrian doctrine of *xwēdōdah*.

The encounter of Rav Hisda and the confessor in *b. Abod. Zar.* 17a provides us with yet another example of Babylonian rabbinic engagement with the doctrine of *xwēdōdah*. The playful and subtle connections demonstrated in this context suggest that the creators and redactors of the talmudic narrative were not only aware of the practice of *xwēdōdah*, but were also familiar with important aspects of Zoroastrian doctrinal discourse.

On the one hand, the passage can be read as a counternarrative or even a disguised polemic against the Zoroastrian practices of penitence and next-of-kin relations.

<sup>81</sup> PRDD 8d1 (ed. Williams, 1:52–53, 2:12).

<sup>82</sup> Dk. 3.80.21–22 (ed. de Menasce, 88–89; Skjærø, *The Spirit*, 205). For a similar passage see PRDD 8d4 (ed. Williams, 1:53, 2:12); Ahdut, "Jewish-Zoroastrian Polemics," 36.

<sup>83</sup> Ahdut, "Jewish-Zoroastrian Polemics," 34–36.

<sup>84</sup> See Yishai Kiel, "Reading Incest in the Babylonian Talmud."

On the other hand, the passage seems to engage certain aspects of the Zoroastrian model of penitence in a non-critical manner, applying this model to the encounter of Rav Hisda and the penitent. The story thus reveals a nuanced and multifaceted approach towards Zoroastrian doctrine that does not seem to fit neatly into the classifying rubrics of reception or resistance.

Regardless of the polemical or receptive nature of the passage, the fascinating Irano-talmudic connections displayed in this context reveal the fruitfulness of a contextual and synoptic study of the Babylonian Talmud against the backdrop of Pahlavi literature. Be the nature of the intercultural contact as it may, the talmudic passage can be significantly illuminated by its juxtaposition with the Zoroastrian notion of confession to a *rad*, the role of the *rad* in determining the penitential requirements for sins deserving death, the significance of incestuous relations in the Zoroastrian penitential system, the idea that *xwēdōdah* cancels a death sentence, and the fascinating connections between incest and heresy.

# Blind Men Speaking of Colors: Paul's Recollection and the Self-Image of Early Thirteenth-Century Theologians

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In the Second Epistle to the Corinthians, Paul writes:

It is doubtless not profitable for me to boast. I will come to visions and revelations of the Lord: I know a man in Christ who fourteen years ago—whether in the body I do not know, or whether out of the body I do not know, God knows—such a one was caught up to the third heaven. And I know such a man—whether in the body or out of the body I do not know, God knows—how he was caught up into Paradise and heard inexpressible words, which it is not lawful for a man to utter. Of such a one I will boast; yet of myself I will not boast, except in my infirmities. (2 Cor 12:1–5 NKIV)

This brief and enigmatic account is caught between multiple dialectics of power and infirmity, pride and humility, unveiling and secrecy. At this point in his letter Paul is turning to a new source of power in order to establish his authority against the crowd of boasting false apostles who populate the previous paragraphs. He wishes to divulge his intimate, occult knowledge of God, but at the same time keep his position as antihero that is prevalent throughout the epistle. These dialectics are enhanced by a sophisticated play of first and third person. The third person denotes the subject who experienced rapture fourteen years ago, while the first person denotes the narrator in the present. Only after several verses does the reader realize that these two are in fact the same person. This alienation allows Paul the intricate play of boasting, for “of such a one I will boast, yet of myself I will not boast.”

The above account has presented several frustrating problems to its readers. One principal problem is that Paul the observer repeatedly states his self-ignorance as to whether he was taken “in the body or out of the body.” This ignorance stands in sharp contrast to the superior knowledge he gained as the experiencing subject,

hearing inexpressible words. How could Paul not have known his own state? And can theologians reading his words know any better?

Paul's short, loaded account is Augustine's chosen point of departure for an elaborate discussion in the 12th book of *De Genesi ad litteram*. After a long entanglement with Paul's ignorance, he turns to a classification of visions. The three heavens implied by the third heaven in Paul's account represent, according to Augustine, three kinds of visions: a corporeal vision, in which one sees actual, concrete bodies; a spiritual/imaginary vision, in which one sees corporeal images although the actual objects are absent; and an intellectual vision, in which one sees intelligibles, that is, the meanings of the above images, or things that have no image at all, such as love or the soul.<sup>1</sup> Augustine's triple division is founded therefore on a semiotic-epistemological contrast between "image" and "real thing" or "sign" and "meaning." The most evident characteristic of the third heaven, namely the intellectual vision, is its lack of signs, resemblances, or images of any kind. It is the clearest vision possible. The prototype for such direct perception in Augustine's eyes is the manner in which we see our own thoughts and feelings, that is, the vision in which the intellect sees itself.<sup>2</sup>

This schema recurred throughout the early Middle Ages in almost every commentary on the epistle, and was used by theologians to discuss prophecy as well as rapture. Yet at a particular moment toward the late twelfth century, it stopped being self-evident that Paul had indeed enjoyed a clear intellectual vision during this experience. The systematic theology of the late twelfth and early thirteenth centuries located his vision in a new triad. Its two outer ends are earth and heaven with their correlated modes of knowing God: the faith of the believers or the wayfarers (*viatores*) on their journey (*via*) on the one hand, and the firm knowledge of the blessed souls dwelling in their homeland (*patria*) or paradise on the other. A wayfarer visits his homeland. Is he here, there, or in some sort of middle position? Paul's transport to paradise in the middle of his life and his ignorance concerning the state of his soul during the rapture threw the system into disorder. What was his *status*? How did he know/see? Did he see through obscure faith during his clear vision? Changing one's *status* from wayfarer to fully comprehending beatified soul is not so easy, it seemed, and several theologians chose to assign him an intermediary mode of knowledge, clearer than faith, yet less clear than the vision of the blessed.<sup>3</sup>

Paul's precise mode of vision and his ignorance were discussed in a lively and increasingly thorough manner within theological *quaestiones de raptu* in the early decades of the thirteenth century.<sup>4</sup> The present article cannot cover this intriguing

<sup>1</sup> Augustine, *Gen. litt.* 12.6 (CSEL 28.1:386–97).

<sup>2</sup> Ibid. The theme of reflective thought and self-perception is a central issue of Augustinian thought, developed much further in *De Trinitate*, *Confessiones*, and other texts.

<sup>3</sup> On the *visio mediastina* see Nikolaus Wicki, *Die Lehre von der himmlischen Seligkeit in der mittelalterlichen Scholastik von Petrus Lombardus bis Thomas von Aquin* (Studia Friburgensis 2.9; Freiburg, Switzerland: Universitätverlag, 1954) 161–66.

<sup>4</sup> For several aspects of rapture and contemplation as reflected in these *quaestiones*, see Wicki,

discourse in its entirety, nor even all of the problems regarding Paul's cognition. Neither will it address the epistemological-philosophical problem of seeing in a mediated as opposed to an immediate manner. Rather it shall be concerned with the one forgotten subproblem: Paul's memory of his rapture. The second part of the article shall show that it should be understood not only against the background of epistemological developments such as the introduction of Aristotelian philosophy, but also as a hidden window into the concerns of contemporary theologians regarding their own academic knowledge and ignorance, and their own dialectics between experience and observation.

## ■ Recollection without Images

Augustine describes Paul's vision as one without any images, similar to introspection. But it is images, similes, words, and signs that make dialogue with another person possible. After all, when the vision of the prophet is over and the experience ceases, he must descend from the mountaintop and deliver the message he heard to his audience, and, even earlier—to himself. The enraptured Paul was not a prophet, but he did return from his unique experience to himself and to his people. The difficulty raised for the first time by William of Auxerre,<sup>5</sup> a prominent theologian in 1220 in Paris, turns out therefore to be remarkably simple: if Paul saw God only through his presence without any mediating images or impressions, no images could have remained in his memory upon his return to his previous state. Hence, when the vision was over, he could not have remembered it. Paul, however, did relate his experience, so he undoubtedly recalled *something*: if not what he saw, at least the mere fact that this rapture occurred. How is recollection possible without images?

In order to solve this problem, William of Auxerre distinguishes between two kinds of cognitions. *Cognitio realis*, he explains, is created by encountering the real presence of a thing or by an image emitted by this real thing. *Cognitio nominalis*, on the other hand, is not related at all to the real thing (*res*), directly or indirectly. It is the result of a verbal explanation (*nomina exponencia rem*) or a definition (*ratio*).<sup>6</sup> This is how a blind man cognizes colors: through a verbal description such as “‘color’ is something that is known by a bodily sense.” He knows what a bodily sensation is since he knows things through touch, and thus has a faint knowledge of what a color is. Such knowledge is of course inferior to the knowledge of a

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*Die Lehre*, 161–74; Barbara Faes de Mottoni, *Figure e motivi della contemplazione nelle teologie medievali* (Micrologus' Library 18; Florence: SISMEL Edizioni del Galuzzo, 2007).

<sup>5</sup> William of Auxerre, *Summa aurea* 3.37.3, in *Summa aurea* (ed. Jean Ribaillier; 5 vols. in 6; Spicilegium Bonaventurianum 16–20; Paris: Éditions du Centre national de la recherche scientifique, 1980–1987) 3:706–8.

<sup>6</sup> Ibid., 708.

sighted person, yet it is still knowledge (“color” is not, say, a vegetable).<sup>7</sup> When Paul returned, William argues, he only had nominal knowledge of his rapture, knowledge of the definitions of things rather than of their real essence, knowledge like the knowledge of definitions described by Aristotle.

Both Roland of Cremona, an avid thirteenth-century reader of William’s *Summa aurea*, and Ribaillier, the text’s modern editor, claim that there is no such knowledge in Aristotle’s texts. Yet, although in *An. post.* 2.10 Aristotle does not treat different types of cognitions, he does discuss therein various types of definitions. “Since a definition is said to be an account of what a thing is,” he observes, “it is evident that one type will be an account of what the name or a different name-like account signifies, e.g., what ‘triangle’ signifies.”<sup>8</sup> James of Venice renders this passage as follows: “Diffinitio autem quoniam quidem dicitur *ratio ipsius quid est*, manifestum est quoniam aliqua quidem erit *ratio ipsius quod quid significat nomen aut erit ratio altera nomina ponens*, ut quid significat quid est secundum quod triangulus est.”<sup>9</sup>

As Ross explains in his commentary on the *Analytica posteriora*, although Aristotle’s first kind of definition seems identical to the third in its form, namely “thunder is noise in the clouds,” they answer different questions. The first is an answer to the question “what does the name ‘thunder’ signify?” while the third is a response to “what is the nature of this thing we know as thunder?” Concerning knowledge, the one who receives the first answer now knows as one who finds an unknown word in a book and goes to a dictionary for a clarification of its meaning; he may never have heard the sound of thunder in his life. He who asks the other question probably has heard the sound of thunder, and then asked for further explanation. Whatever Aristotle’s intention, William of Auxerre seems to understand him at this point as alluding to a kind of knowledge derived from verbal description, and thus related to words alone, as opposed to knowledge about the real nature of a thing.

<sup>7</sup> “Nominalis est que fit per nomina aliquo modo exponencia rem, sicut cecus natus cognoscit colorem per rationem istam, color est qui cognoscitur per sensum, cecus autem natus cognoscit colorem per tactum et sic cecus natus habet cognitionem aliquam de colore, sed longe minorem quam ille qui videt” (*ibid.*).

<sup>8</sup> ὅρισμὸς δὲ πειδὴ λέγεται εἶναι λόγος τοῦ τί ἔστι, φάνερὸν ὅτι ὁ μέν τις ἔσται λόγος τοῦ τί σημαίνειτὸ δόνομα η̄ λόγος ἔτερος ὄνοματάδης, οἷον τί σημαίνει [τί ἔστι] τρίγωνον (Aristotle, *An. Post.* 2.10, 93b30, in *Analytica priora et posteriora* [ed W. D. Ross; OCT; Oxford: Clarendon, 1964; repr., with corrections, 1968] [emphasis added]; see also commentary on 634). The Greek might also be read as if the “or” is not between “ὄνομα” and “λόγος ἔτερος,” but between the two attestations of the term “λόγος,” the first “of what the name signifies,” and the second “nominal.”

<sup>9</sup> Aristotle, *An. post.* 2.10, in *Analytica posteriora* (ed. Lorenzo Minio-Paluello and Bernard G. Dod; Aristoteles Latinus 4.1–4; Corpus philosophorum medii aevi; Bruges: De Brouwer, 1968) 83 [emphasis added]. John of Toledo chooses: “Verbum alterum pro nomine positum” (*ibid.*, 167), and Gerard of Cremona: “Sermo positus vice nominis, sicut sermo exponens nomen” (*ibid.*, 261). William of Moerbeke later renders the old translation of “ratio altera nomina ponens” simply as “ratio altera nominalis” (*ibid.*, 329).

An incidental remark in the *Physica* refers to the blind man as well. There is no point in demonstrating that nature exists, claims Aristotle in the opening to his discussion of nature in book 2, since its existence is obvious. Such demonstration would be contrary to the normal course of knowledge, i.e., from the known to the unknown. Nevertheless, Aristotle briefly remarks, such a reversal is possible, and he provides as an example a man blind from birth who reasons about colors. Such men necessarily use names without understanding their meaning.<sup>10</sup> According to William, the nominal knowledge that remained in Paul's mind upon his return is not related to anything real or to the experience itself. It belongs to the world of words and verbal approximations of men blind from birth. It is as if he had seen nothing.

Roland of Cremona, the first Dominican master in Paris, had William's *summa* before his eyes and he invested a great deal of intellectual energy in resolving the problem of Paul's remembrance. This problem first appears immediately after the main discussion of seeing through a medium or image. Roland, equipped with a rich knowledge of natural philosophy, enhances William's arguments with scientific, natural material that strengthens the connection between image and memory. At this point in the text, however, he just attempts a short, obscure solution that rests on the distinction between memory and recollection: Paul could recall, he asserts, but could not remember.<sup>11</sup>

William does not explicitly refer his readers to Aristotle, but Roland does, and with him, let us turn to Aristotle's *De memoria et reminiscencia*. Aristotle associates memory with imagination since it involves the element of time. It is related to thought only accidentally: mere gazing at an intellectual object is not recollection but simply knowledge. Recollection involves awareness of the *time* when one acquired that specific information, in addition to its content.<sup>12</sup> According to Aristotle, time must be in the faculty of the imagination, with which one cognizes magnitude and motion. Memory involves images, and recollection is unquestionably associated

<sup>10</sup> Aristotle, *Phys.* 2.1, 193a5–9. I thank Dr. Orna Harari for this reference. The Latin translator renders this passage as follows: "Demonstrare autem manifesta per inmanifesta non possibile iudicare est propter ipsum et non propter ipsum cognitum. Quod autem contingat hoc pati, non inmanifestum est; sillogizabit enim utique aliquis cum natus sit cecus de coloribus; quare necesse est huiusmodi de nominibus inesse rationem, nichil autem intelligere" (*Physica. Translatio vetus* [ed. Fernand Bossier and Jozef Brams; Aristotle Latinus 7.1; Corpus philosophorum medii aevi; Leiden: Brill, 1990] 45).

<sup>11</sup> "Ad hoc dicimus quod non potuit illud reducere ad memoriam; tamen potuit illud ad reminiscientiam, quoniam potuit de illa reminisci. Intellectus enim potest reminisci, quamvis non possit memorari" (Roland of Cremona, *Summae magistri Rolandi Cremonensis O. P. liber tercius* [ed. Aloysio Cortesi; Monumenta Bergomensia 7; Bergamo: Edizioni "Monumenta Bergomensia," 1962] cccxl [992]).

<sup>12</sup> Aristotle, *Mem. rem.* 449b9–23.

with images that were earlier imprinted in the soul.<sup>13</sup> Aristotle, therefore, does not seem to help Roland but only makes things worse.<sup>14</sup>

Indeed, whatever Roland's first intention concerning recollection without memory, the same difficulty arises again a few passages later, as if he had not dealt with it before. Now, though, he presents it with thoroughness, examining at length the problematics of supposing that there are intellectual images or forms. If there were a form of God in Paul's mind, what kind of form would that be? It could not be an abstract form, since God is simple. If it were an infused form, however, it would be different from God. Suppose we accept infused forms against Augustine; what was the nature of this form? Was it similar to God? If not, how could it have led Paul to see God, when cognition according to all philosophers is based on similarity? On the other hand, what similarity could there be between a creature and its Creator?<sup>15</sup> All this puts Roland in a quandary. "It would have been so easy to say that Paul saw God without any images; if only we could see how he was able to recall what he saw, it would have been a great thing. Neither authority nor pure reason allows us to say he saw all that through images."<sup>16</sup>

But the *Summa aurea*, in which the issue is raised, also suggests a solution, does it not? Roland attacks William's solution, the idea of *cognitio nominalis*, word by word with a surprisingly emotional criticism. First he criticizes the idea that Paul knew the definition of his vision. What do definitions have to do with the situation, he asks, immediately after "correcting" William's use of *ratio* (translating λόγος) to *diffinitio* (ὁρισμός). Paul's account does not resemble a definition at all. Moreover, even if he did hold the vision's definition, all he knew was the substance of the vision itself, not its content, namely God and the occult things that he reports he saw. This is however an absurd claim—one cannot have knowledge devoid of content. Knowing a definition, Roland maintains, must consist of knowledge of the forms of the *genus* and the *differentia*. As he returns to the *Analytica posteriora*, Roland rejects the idea of nominal cognition altogether and refuses to accept knowledge that is not a true Aristotelian *scientia*. The cognition of the blind man in which he knows colors is not based on prior sense perception, and therefore it is not knowledge at all. To say that Paul had this form of knowledge is to say he had none. How can a

<sup>13</sup> "Quid igitur est memoria et memorari dictum est, quoniam fantasmatis est sicut ymaginis et cuius fantasma habitus est, et cuius partium que sunt in nobis, quia primi sensibilis quod tempore sentimus" (*ibid.*, 451a15). This Latin translation of Jacobus Venetus is taken from the draft edition of Silvia Donati in the *Aristoteles Latinus Database*, Brepols, retrieved on April 11, 2013. A future edition for the *Aristoteles Latinus* series (14.1–2) is being prepared by David Bloch.

<sup>14</sup> William of Auxerre does not refer to Aristotle or to any other authority, but it is highly plausible that these statements attracted his attention.

<sup>15</sup> Roland of Cremona, *Summae magistri Rolandi Cremonensis*, lib. 3, cccxl (994).

<sup>16</sup> "Facile esset, et absque aliqua dubitatione, dicere quod Paulus vidisset Deum sine aliquibus ymaginibus, et illa archana, si solum possemus videre quomodo potuit recolere que vidisset, magnum esset. Nec auctoritates nec ipsa ratio patitur ut dicamus quod viderit illa per ymaginem" (*ibid.*).

reasonable man think that blind people have any knowledge of colors whatsoever? Roland remarks, "I vehemently wonder how such a prudent man could say that."<sup>17</sup>

Roland endeavors to fashion his own solution to the problem; in fact, he proposes three solutions. During the rapture, he argues first, no mediating images are involved. There is, however, a different kind of medium, which is not an image: created light. It is true that God is present in every creature *substantialiter* and *presentialiter*. Nevertheless, taking physical perception as a model, he argues that even when all veils are removed, the eye still needs a "visual spirit" or light in order to see a present object.<sup>18</sup> It is this light that imprints *stigmata* of the occult things seen. After Paul returned, he could retrieve what he saw by using these *stigmata* or engravings and "a certain created light."<sup>19</sup> These engravings or light are not considered media in Roland's eyes, for they are not images in the traditional meaning of corporeal images.

Roland's use of the word *stigmata* to denote these special signs refers of course to Paul's own testimony in Gal 6:17: "Ego enim stigmata Domini Jesu in corpore meo porto." But in Roland's and his contemporaries' ears it probably also had the resonance of the *stigmata* that appeared on Francis of Assisi's body in 1224, just a couple of years before Roland wrote his text.<sup>20</sup> It is most revealing, therefore, that the first textual testimony of Francis's *stigmata*, in Thomas Celano's *Vita prima* of 1229, describes them not as an immediate result of the vision but as a result of Francis's efforts to uncover the hidden meaning of his vision *afterwards*:

He wondered anxiously what this vision could mean, and his soul was uneasy as it searched for understanding. And as his understanding sought in vain for an explanation and his heart was filled with perplexity at the great novelty of this vision, the marks of nails began to appear in his hands and feet, just as he had seen them slightly earlier in the crucified man above him.<sup>21</sup>

Both Celano and Roland, therefore, tend strongly to construe the relation between experience and its later processing and interpretation as mediated through real vestiges, not merely words and thoughts.

<sup>17</sup> Ibid., 996.

<sup>18</sup> Ibid., 993.

<sup>19</sup> Ibid., 996.

<sup>20</sup> Roland seems to have written his *Summa* only after he left Paris for Toulouse, that is, in the mid-1230s. See Odon Lottin, "Roland de Crémone et Hugues de Saint-Cher," *RTAM* 12 (1940) 136–43.

<sup>21</sup> "Cogitabat sollicitus, quid posset haec visio designare, et ad capiendum ex ea intelligentiae sensum anxiabatur plurimum spiritus eius. Cumque liquido ex ea intellectu aliquid non perciperet et multum eius cordi visionis huius novitas insideret, coeperunt in manibus eius et pedibus apparere signa clavorum, quemadmodum paulo ante virum supra se viderat crucifixum" (Thomas Celano, *Vita prima* 2.3.94, in *Legenda S. Francisci Assisiensis. Saeculis XIII et XIV conscriptae* [ed. the fathers of Collegium S. Bonaventurae; Analecta franciscana 10; Quaracchi, Italy: Ad Claras Aquas, 1926–1941] 3–115, at 72). I have used here the translation of David Burr, *Medieval Sourcebook*, accessed April 19, 2012, <http://www.fordham.edu/halsall/source/stfran-lives.html>.

This must not have been, however, an entirely satisfactory solution, since Roland immediately proposes a better version of it. In his improved model, the original vision did not involve any signs and the “preparing light” and the “light for vision” were not separate. During the vision, light had one nature. Only as a result of Paul’s descent were real vestiges of this light created. This was therefore not an example of seeing through images, but through the proper essence.<sup>22</sup> The medium of light serves as a sign or image, but it is not to be considered as such; rather, it is the proper essence.

Roland finally proposes a third solution, meant for those who are not able to follow the intricate explanation above. This solution exemplifies a similar separation of the process of seeing from that of recollecting, but a much more radical one: After the apostle returned to his senses, God created or inspired in his mind certain images. He did not see through them during the rapture, but they aided him to recall later what he had seen.<sup>23</sup>

The fact that Roland does not prefer this solution demonstrates his keen interest in real continuity of vision and recollection. Yet, by proposing this option, Roland locates himself in a hierarchy of knowers. On the one hand, he says: “Do not be surprised that we cannot see clearly how Paul, returning to himself, could have reasoned about what he had seen, because the human intellect, glorified then for a while, was much more powerful than we can possibly consider now.”<sup>24</sup> On the other hand, “we,” who understand occult explanations such as the one above, still see much further than the “little” ones who cannot follow it at all, and for whom this last solution was designed. The author of *quaestio 454* in the famous codex Douai 434 presents a similar yet simpler answer than that of Roland. He has the instrumental concept of *habitus* of vision in his arsenal, and it serves him well for this purpose. Natural and spiritual perceptions require two media, he maintains: a *habitus* on the part of the one who sees, and an image or *species* of the thing seen. In the special case of Paul’s vision, no *species* of the thing seen—God—was needed. On the part of the seer, however, a *habitus* was still required. This *habitus* that was conferred on Paul during his rapture as a special sort of eyeglass put on his mental eyes remained in his mind after his return and thus enabled him to recall his vision.<sup>25</sup>

<sup>22</sup> Roland of Cremona, *Summae magistri Rolandi Cremonensis*, lib. 3, cccxl (996–997).

<sup>23</sup> “Adhuc aliter possumus dicere: numquid non potuit Deus Apostolo suo, postquam rediit ad se, imprimere per creationem, sive per inspirationem aliquas ymagines, sub quibus archana non vidisset, quibus mediantibus reminisceretur eorum archanorum que vidit? Dicimus quod hoc potuit. Et hec solutio videtur magis facilis pro minoribus qui non possunt intelligere occulta superius dicta” (*ibid.*).

<sup>24</sup> “Nec mireris si non aperte possumus videre qualiter Paulus potuit, cum ad se rediit, de his que vidit ratiocinari, quoniam intellectus humanus, qui fuit tunc ad tempus glorificatus, maioris virtutis fuit quam possimus ad presens considerari” (*ibid.*).

<sup>25</sup> “Quomodo rediens ad statum suum potuit recordari eorum que uidit in raptu. Solutio. In uisione naturali et prophetica spiritualis habitus necessarius est, et preter habitum necessaria est species qua mediante procedit cognitio. Sed in illo speculo eternitatis nulla species est necessaria. Ex parte tamen uidentis fuit habitus, scilicet ex parte pauli, et ita non fuit simile de hac uisione, et aliis” (MS Douai, Bibliothèque municipale, 434 II, f. 96ra).

Now one of the questions that has been treated since the late twelfth century by certain theologians is whether Paul held to his faith during this experience (his usual pair of eyeglasses, if you wish), and if so what the consequences of its presence were, even if it was inactivated. In the context of this problem, we find a complete description of the situation following the rapture, that is, when Paul had his faith activated again. The light that had been infused during the rapture was subsequently joined to the light of faith, thus becoming a lesser light that could not be fully activated. Paul remembered his vision with the aid of this *habitus*, though he did not recall all that he saw. Paul, he adds, had to recall, for the benefit of the church.<sup>26</sup>

This article cannot discuss in detail the problem of seeing through a *habitus* or medium, a highly interesting problem in its own right. Yet it is worth noting in brief that in this period a tripartite perception of the process of vision was gradually being replaced by a four-part system. Earlier, theologians and philosophers were accustomed to perceiving the subject as an eye that receives an image of the seen object, but, as shown above, in this period a sharp distinction developed within the subject itself: it is not enough to have an eye, for there is also a spirit of sight, a light or a kind of *habitus*, distinguished from the ability to see. Two “middles,” therefore stand between the “naked” power-subject and the object, one on each side: the image (of the object) and the light *habitus* (of the subject). When one of these middles is absent, as in the case of Paul’s imageless vision, one middle still remains. Usually, one would say the light of the lamp or the eyeglasses does not carry in itself the colors we see with its help. Yet in this case, it seems that the subjective *habitus*, which the author identifies as the light infused into the subject during rapture, is forced to take on the semiotic, objective function of the image. It has something of the object in it. Not only does it enable recollection, the implication is that it is meant to propel the message forward, out of Paul’s experiencing self to his community: the author claims that Paul, unlike plain dreamers, must have remembered “for the benefit of the church.” He assumes, therefore, that this light *habitus* must contain useful information, *what* one has seen, and not only *that* one has seen.

The Dominican master Hugh of St. Cher (active in the 1230s), unlike Roland and the author of *quaestio* 454 in Douai 434, is quite willing to deprive Paul of the content of his vision and leave him with only its substance. As we sometimes see certain things in a dream, then forget them, but remember that there was a dream, Paul remembered that he saw ineffable words, but could not know or tell what they were when the experience was over.<sup>27</sup> Hugh does not need, therefore,

<sup>26</sup> “Illud enim lumen infusum in raptu post raptum coniectum fuit fidei, et factum est minus lumen, et ideo in actum suum exire non potuit. Dicendum ergo quod secundum illum habitum fuit recordatio uisorum in raptu et forsitan non plena omnium. nec obstat de sompniabitibus qui eorum que uiderunt non recordantur quondam. Cum ergo illorum fit ex communi sensu qui plenus est formis, nec possunt recordari quoniam non fit impressio in sensu singulari. Paulum autem fuit necesse recordari propter utilitatem ecclesie” (*ibid.*).

<sup>27</sup> “Ad xiiii, dicendum quod sicut fit in sompniis quod uidemus quasdam rerum distinctiones

any images for the objects of Paul's vision. But he still needs some residue of the dreaming experience. What remained to enable Paul to remember the mere fact of the vision? Hugh ascribes it to what he calls a "spirit of imitation," the state of the mind itself during the experience. This is a second-order reflection that survives after the experience has faded, as his example of wine shows: you may remember that a wine you once drank was good, but not its taste.<sup>28</sup>

In the *quaestio de raptu* of Guerric of St. Quentin, a Dominican colleague of Hugh, the issue of remembrance is invoked in relation to the question of "whether faith remained in Paul's soul during the rapture."<sup>29</sup> His solution is rather surprising: without further ado he argues that *during* the rapture, while seeing what he saw, Paul put images on it, and hence could use them when he returned.<sup>30</sup> Albert the Great seems to follow in this direction, dismissing the problem by asserting that the effect of the vision remained in Paul, as what he saw was represented in his mind with inferior *species* and symbols, supposedly, during the rapture. Like Guerric, he does not seem to be bothered by the seeming contradiction in the total abstraction from the senses Paul experienced.<sup>31</sup> A few years later, Thomas Aquinas would argue as well that certain *species* remained in Paul's intellect, allowing him to recall something of the experience. Although the vision was apprehended through its essence, the recollection used these *species* and later applied them to sensory images already existent in the mind.<sup>32</sup> As Aquinas's main objective is to keep the

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quas postea nescimus tamen habemus substantiam sompnii, ita apostolus non retinuerat apud se omnes circumstancias sue uisionis, sed substantiam sciebat. Unde uerba recolebat se uidisse ineffabilia, sed que essent ea nec posset nec sciret tunc narrare, quia non uidebat illa nec sentiebat tunc" (*ibid.* f. 131va).

<sup>28</sup> "Sicut ille qui bibit bonum vinum, postea bene scit quod bonum fuit vinum quod bibit, non tamen tunc sentit bonitatem vini, sed prius sensit. Quod ergo queritur utrum secundum ymaginem aut per se viderit illa archana apostolus, dicendum quod per se non per ymaginem quia facie ad faciem vidit deum sicut dicit augustinus et propter immitationem factam in eo super omni ymagine, recolebat se vidisse et sensisse illa. Recordatio enim potest esse, et eorum que per ymaginem comprehenduntur, et eorum que sui presenciam sentuuntur, unde homo recordatur se bibisse vinum, vel intellexisse suum intellectum. Immitationis enim spiritus remanet, non res vel rei species aut ymago" (*ibid.*).

<sup>29</sup> "Quarto, an fides mansit in illo raptu; Quinto, quomodo habuit memoriam eorum que uidit in illo raptu" (MS Prague, Univ. IV D 13, f. 58ra). The attribution of this question to Guerric rests on a detailed comparison of its text with his commentary on 2 Corinthians in MS BnF Lat. 15604 f. 60ra–61ra.

<sup>30</sup> "Si obicitur quomodo induitur illa uisio ymaginibus, respondeo: in uerbo ubi illa uidit uidit que illa induere talibus, talibus et talibus ymaginibus, et uidit ibi ymagines quibus debuit induere uisa et uidendo induit. Unde cum ymagines uidit in primo non oportuit quod per conuersionem ad ipsas auerteretur adeo" (*ibid.*, f. 58vb).

<sup>31</sup> "Ad id quod alterius queritur de memoria illius uisionis, dicimus, quod licet uisio per speciem non manserit in se, tamen mansit in effectu. Possibile enim est ut sub speciebus inferioribus repraesententur superiora per assimilationem et excessum, sicut dicimus quod est dulce incomparabiliter melli, et fulgens incomparabiliter soli et huiusmodi" (Albertus Magnus, *De raptu*, Toulouse, Bibliothèque municipale 737, f. 32v [the question exists also in Vat. lat. 781, f. 14b–16a]).

<sup>32</sup> "Ad quartum dicendum quod Paulus postquam cessavit videre Deum per essentiam, memor fuit illorum quae in illa visione cognoverat, per alias species in intellectu eius relictas . . . ex ipsa inspectione Verbi imprimebantur in intellectu eius quaedam rerum visarum similitudines

vision pure from sensory powers, the peculiarity of immediate, non-signified vision thus entirely disappears: the idea of intellectual *species* annihilates the problem.

The act of recalling is both an act of self-awareness and of communication to others. The account of Paul's rapture, revealing as well as obscuring, presented in its mere existence a real problem to theologians active in the 1220s and 1230s. This account could not exist if Paul had not remembered his vision. From a certain historical moment, Paul's intellectual experience was no longer intimate and non-communicative. Presence had to become information and take a communicable form, as it did for Moses. What could that communicable form be, if not a corporeal image? The solutions varied. If we look at them, we find that the field of mediating mechanisms changed radically. Images and signs are not the only media of vision, and words, light, or *habitus* take their function as media, at least for a short period, before intellectual *species* come in.

	Medium of seeing	Medium of recollection	Type of sign*
William of Auxerre	-	Words	Symbol
Roland of Cremona (1)	Created light	"Glyphs" ( <i>sculptura</i> ), <i>stigmata</i>	Index
Roland (2)	Created light	Vestiges created by the separation of preparatory light and light for seeing	Index
Roland (3)	Created light	Implanted images	Symbol
Q. 454	<i>Habitus</i> of rapture = preparatory light	The same <i>habitus</i> reduced and connected to the faith <i>habitus</i>	Index (?)
Hugh of St. Cher	-	<i>Spiritus immitationis</i>	Icon (?)
Guerric of St. Quentin	-	Images seen next to essence	Icon
Albert the Great	Light <i>habitus</i> of glory	Representations in inferior parts of the soul, symbolic resemblances	Icon
Thomas Aquinas	-	Intelligible <i>species</i> that remained in his intellect	Icon

\* Index, icon, and symbol are used here in the Peircian meaning. Charles S. Pierce's (1839–1914) theory of signs is of course much more complex, but here I find useful his most famous, early division into "index" (the signifier is tied to the signified by virtue of some brute existential fact), "symbol" (the signifier is tied to the signified by convention), and "icon" (the signifier is tied to the signified by virtue of a similarity or a common property) (see Charles S. Peirce, *Writings of Charles S. Peirce: A Chronological Edition* [ed. Max H. Fisch et al.; 8 vols.; Bloomington: Indiana University Press 1982–2010] 2:53–54), 1982–2010] 2:53–54).

quibus postmodum cognoscere poterat ea quae prius per essentiam Verbi viderat" (Thomas Aquinas, *Quaestiones disputatae de veritate* 13.3 ad 4, in *Sancti Thomae de Aquino, Opera omnia* 22 [ed. Antoine Dondaine; 3 vols.; Leonine Edition; Rome: Ad Sanctae Sabinae / San Tommaso, 1970–1976] 2:426).

We may describe William's alternative to the image as an arbitrary sign, or symbol—words whose disconnection from their signified meaning is as clear as the gulf between seeing a flower and reading its definition in a dictionary. The third solution of Roland suggests discontinuity between the real experience and the “fake” recollection. Hugh of St. Cher does not offer any recollection of the imageless appearances; for him the only thing left is the remembrance of the soul itself. He completely denies the ability to recollect information. On the other hand, Roland and the author of *quaestio 454* in MS Douai 434 look for something real to sustain continuity between both stages, an index, or even a seminal part of the signified itself—the same light that is lessened but endures even after the object and the strong light have vanished. They both recognize the substantial difference between image and light with the image, or the *species* belonging to the object while the *habitus* belongs to the subject. However, both attempt to claim the *habitus*'s capacity to transmit information relating to the object, since both are committed to demonstrating that Paul has a remembrance of *what* he saw and not just *that* he saw. Both fail to explain properly how a preparatory *habitus* of light can carry this necessary objective information within it. Since Guerric of St. Quentin, however, Dominican masters have simply assumed a process in which immediate experience is transformed into informative representation, images, or intelligible *species* already during the rapture. The nature of rapture as immediate knowledge is thus completely blurred and we return to iconic epistemology once again.

## ■ Paul and the Self-Image of Scholastic Theologians

Let us step outside this meticulous discussion and set it in its broader intellectual and cultural context. Its emergence in this specific period, I claim, has to do with the historical state of theology at the time and with its complicated relationship to the concept of experience. It is in these decades, after all, that systematic reflection on theology took its first steps. This investigation was preceded and accompanied by new investigations as to the specific nature of various forms of cognition of God, fueled by Aristotelian and Avicennian ideas on epistemology: faith, beatific vision, prophecy, and rapture. The aim of these theologians was to understand better their position among different knowers such as prophets, simple believers, contemplators, and mystics. The deeper layer of the problem of Paul's memory lies, as I will argue in this part, in the fact that it provides us with a hidden reflection on the way the participants in the discourse negotiated the nature of their own practice, symbolizing in particular the tension between letters and experience. Paul's persona and his knowledge intrigued theologians of the newborn university in their search for self-definition.

Let us return to William of Auxerre's nominal cognition, and notice the resemblance of this verbal “blind men's knowledge” to the knowledge created by scholastic theory and practice in William's time. Definitions were substantial to the

scientific enterprise delineated by Aristotle in the *Organon* and in the demonstrative model of Euclid's *Stoicheia*. Since the twelfth century analyzing, correcting, and suggesting definitions had been common practice among scholastic theologians investigating "what is x?" The use of definitions had become a marker of the school's way of thought, of the scientific mode of thought, and of the scientific approach to theology. When Andreas Capellanus in his *De amore* plays with the idea of love not only as the subject of experience (*experimentum*), but also of doctrine, he chooses to open his answer with a scholarly definition of love in order to create a quasi-scholastic style.<sup>33</sup> A 1240s guide for students summarizes the scientific method itself as a *modus diffinitivus divisivus*.<sup>34</sup> So do the authors of the *Summa fratris Alexandri*, who claim that the *modus* of science consists of *definitio*, *divisio* and *collatio*.<sup>35</sup>

Tractates on many theological issues written in the 1220s and 1230s begin by an inquiry "quid est," and then deal with a definition or several definitions of the thing under discussion, although the extent of this practice differs. Thus, while discussions of rapture rarely have a definition in their center, almost all the treatises on prophecy in this period include a thorough analysis of Cassiodorus's definition, "a divine revelation or inspiration announcing things to come in an unchanging truth"<sup>36</sup> Each of its parts is discussed, briefly or at length, generating arguments and counterarguments. What is a "revelation" and how does it differ from "inspiration"? Who reveals and inspires? What does "an immobile truth" mean? Similarly, all treatises on faith address Paul's definition of faith in Heb 11:1, discussing the precise meaning of each term, the relationships among its parts, whether it is a sound Aristotelian definition or merely a description, and so on. In the circles of Philip the Chancellor, Alexander of Hales, and John of la Rochelle this practice was so developed that several definitions were presented, obliging an author not only to explain the peculiarity of each and the particular aspect it addresses, but also to reconcile seeming contradictions. Philip the Chancellor examines several definitions in almost every one of the tractates of the *Summa de bono*.<sup>37</sup> In his *Summa*

<sup>33</sup> The introduction poses the question "what is love?" in a scholastic manner. It is followed by the definition "love is an inborn suffering," which is then analyzed into its parts (Andreas Capellanus, *De amore* 1.1, as translated in *Andreas Capellanus on Love* [ed. and trans. P. G. Walsh; Duckworth Classical, Medieval, and Renaissance Editions; London: Duckworth, 1982] 32–33).

<sup>34</sup> Le "Guide de l'étudiant" d'un maître anonyme de la faculté des arts de Paris au XIII<sup>e</sup> siècle. Édition critique provisoire du ms. Barcelona, Arxiu de la Corona d'Aragó, Ripoll 109, ff. 134ra–158va (ed. Claude Lafleur with the collaboration of Joanne Carrier; Publications du Laboratoire de philosophie ancienne et médiévale de la Faculté de philosophie de l'Université Laval 1; Québec: Faculté de philosophie, Université Laval, 1992) 57 n. 86.

<sup>35</sup> Alexander of Hales et al., *Summa theologica seu sic ab origine dicta "Summa fratris Alexandri"* lib. 1, tractatus introductorius (ed. the fathers of Collegium S. Bonaventurae; 4 vols.; Quaracchi, Italy: Ad Claras Aquas, 1924–1948) 1:8.

<sup>36</sup> "Divina revelatio vel inspiratio rerum eventus immobili veritate denuncians" (Cassiodorus, *Expositio psalmorum*, prologue [CCSL 97:7]).

<sup>37</sup> Philip the Chancellor, *Summa de bono* (ed. Nikolaus Wicki; 2 vols; Corpus philosophorum medii aevi; Opera philosophica mediae aetatis selecta 2; Bern: Francke, 1985) passim (see for instance 155 on definitions of the soul, 525 on *virtus*, 757 on *prudentia*, etc.).

*de anima*, John of la Rochelle (O.F.M., d. 1245) brings forth eleven definitions of the soul, analyzing them and solving apparent contradictions.<sup>38</sup> In the *Summa fratris Alexandri* tractate on formed faith, an entire *quaestio* is devoted to diverse definitions of faith before heading to the classical Paulinian one.<sup>39</sup> Moreover, an interesting feature echoing William of Auxerre's division of cognitions also appears in this period. In the same group of theologians writing only a few years after his *Summa aurea*, next to the investigation *secundum diffinitionem*, there appears one *secundum rem*. In the treatise on formed faith in the *Summa fratris Alexandri*, an inquiry into what faith *secundum rem* is precedes the inquiry *secundum diffinitionem*. Only after settling the issues of whether faith is necessary for salvation, whether this faith is attained by persuasion, and whether it is a virtue, *species*, or *genus*, does the author tackle the definitions of faith. The distinction between *secundum rem* and *secundum diffinitionem* is also made by Philip in his treatment of the articles of faith, and by Hugh of St. Cher in the *quaestio de prophetia*, as well as in many other *quaestiones*.<sup>40</sup> In some of these cases the investigation *secundum rem* precedes the one *secundum diffinitionem*.

Definitions, therefore, played a significant role in scholastic theological practice. Masters of theology used and analyzed definitions, terms, and words in school. But where were the real things behind them? The contemporary image of science included working with definitions and first principles. But in addition to *ratio* and *auctoritas*, a growing attention was being given also to sense experience, *experientia*, as part of every investigation about reality.<sup>41</sup> What was the true place of experience in the theology classroom of the thirteenth century, and how, if at all, was it imagined? Did these theologians look for the sense experience of theology, its *cognitio realis*?

First, let us look at school practice itself. The textual remnants of the faculty unquestionably show that systematic theological discourse consisted of and

<sup>38</sup> Jean de la Rochelle, *Summa de anima* (ed. Jacques Guy Bougerol; Textes philosophiques du Moyen Âge 19; Paris: Vrin, 1995) 52–62 (“quid sit anima secundum diffinitionem”).

<sup>39</sup> Alexander of Hales, *Summa fratris Alexandri*, 4.1:1072.

<sup>40</sup> “Viso quid sit articulus secundum rem videndum est quid sit secundum diffinitionem” (Philip the Chancellor, *Summa de bono*, 2:618). For Hugh's distinction see his question on prophecy in Jean-Pierre Torrell, *Théorie de la prophétie et philosophie de la connaissance aux environs de 1230. La contribution d'Hugues de Saint-Cher* (Ms. Douai 434, Question 481) (Spicilegium sacrum Lovaniense 40; Louvain: Spicilegium sacrum Lovaniense, 1977) 3.

<sup>41</sup> On the multiple meanings of *experientia* and *experimentum*, their overlap, and their distinction throughout the Middle Ages, see the discussion in Brian Stock, “Experience, Praxis, Work, and Planning in Bernard of Clairvaux: Observations on the *Sermones in Cantica*,” in *The Cultural Context of Medieval Learning: Proceedings of the First International Colloquium on Philosophy, Science, and Theology in the Middle Ages—September 1973* (ed. John E. Murdoch and Edith Dudley Sylla; Boston Studies in the Philosophy of Science 26; Synthese Library 76; Dordrecht, Holland: Reidel, 1975) 219–68. Different studies of this vocabulary since antiquity through Galileo and Hegel are gathered in *Experientia. X Colloquio internazionale, Roma, 4–6 gennaio 2001* (ed. Marco Veneziani; Lessico intellettuale europeo 91; Florence: Olschki, 2002). For more on *experientia* and *experimentum* see also below, nn. 47 and 51.

referred almost exclusively to texts and reasoning. Experience had little place in it, if any. While the twelfth-century Cistercian Aelred of Rievaulx (d. 1167) invites his troubled interlocutor in *De anima* to conduct a spiritual exercise and look into himself in order to prove the incorporeality of the soul, the works of the school masters of Aelred's day, as well as the treatises on the soul translated from Arabic and Greek or composed later by university masters, are devoid of any such experiential remarks. Masters almost never turn to either their own or their friends' personal experience in order to explain, support, or illustrate their arguments in disputed questions.<sup>42</sup> Nor do they admit, as does Herbert of Bosham (b. 1120) when he speaks about theophanies, the difficulty of writing about "sweetness I have never tasted myself."<sup>43</sup>

It is possible, however, that we are facing a difference in norms of expression rather than one in practices of thought or teaching. What real school life was like is hard to reconstruct. Thus, the following story, told by Stephen of Bourbon, seems to reveal a lesson involving personal experience. One disciple asks his master why Adam ate from the tree from which he was forbidden to eat, when he could have freely eaten the fruit of all the other trees. The master replies that we always desire to do what is prohibited. Unsatisfied, the student says that he would not have done the same were he in Adam's place. The master then enters his room, takes a little bird, and puts it between two salvers (*scutellae*), and then calls the disciple in. Showing him all the books and other nice vessels and delicacies he has there, he says he is now going to mass, and promises his student that he will think of a better answer. In the meantime, the disciple is welcome to walk about and do whatever he wishes in the room, except move these salvers that hold something secret between them. The disciple browses the books but keeps thinking about why he is allowed to touch all the other things except the salvers. As his curiosity leads him finally to open them, the bird flies off. When the master returns, the student admits he needs no further answer. "By experiencing he had already learned that the first solution was true" (*ipse experiendo dederat [read: didicerat] priorem solucionem veram esse*).<sup>44</sup>

<sup>42</sup> For Aelred's references to his and his interlocutor's experiences in *De anima*, see *Opera ascetica* (ed. A. Hoste and C. H. Talbot; vol. 1 of *Aelredi Rievallensis opera omnia*; CCCM 1; Turnhout: Brepols, 1971) 685–754.

<sup>43</sup> "Praeterea nunc de illo manifestationis genere, quod praeexcellenter theophania dicitur, nec enim est ista bonorum omnium sed perfectorum solum et etiam paucorum inter hos. Unde et infelix ego luteam domum inhabitans, de tam suavi tam excellentis manifestationis dulcedine quod ego non gustavi, aliis eructare non possum. Verumtamen de hoc manifestationis genere ab aliis instructus accepi ego phamas has animae omnino a terrenis suspensae et aeternorum desiderio adeo inflammatae" (Herbert of Bosham, *Liber melorum*, melus 3, notula 16 [PL 190:1369]).

<sup>44</sup> Étienne de Bourbon, *Tractatus de diversis materiis* 298, in *Anecdotes historiques, légendes et apologues, tirés du recueil inédit d'Étienne de Bourbon, dominicain du XIIIe siècle* (ed. A. Lecoy de La Marche; Paris: Société de l'Histoire de France, 1877) 251–52. The source of this story, according to Stephen, is a sermon of Nicholas of Flavigny, a master of theology active in the 1220s.

In practice, however, most of the intellectual play in the university did not involve birds, but rather the desired books in the master's little paradise. Exams and lessons centered on reason and words. Local prophets were not summoned to testify in class on what they had seen in their vision, and we have no way of knowing to what extent tricks such as the one Stephen relates were common—the attractiveness of the story as an *exemplum* may betray its uniqueness. That, however, does not mean that there were no attempts to find a place for experience even in the field of theology, which, more than all other disciplines, inherently lacked direct cognition of its object, having therefore to rely on authority and revelatory words alone.

In the attempts to address this problem two different traditions relating to experience became merged. From the twelfth century onwards, both within and without academic circles, notions of experiential-experimental knowledge appeared in two fields: natural philosophy—including medicine and occult doctrines—and Cistercian spirituality.<sup>45</sup> Along with the translation of the *Analytica posteriora* came the Aristotelian conception of experience, carrying, as Peter King has keenly distinguished, two main meanings.<sup>46</sup> First, experience was seen as an intermediary stage of knowing. After sensory occasions of a similar nature have been collected and compared, the result is a partial abstraction or generalization. This, in turn, forms the basis for future abstract, intellective knowledge. *Experientia* should in this regard be located somewhere between isolated sense impressions of particulars, on the one hand, and the intellectual grasp of a universal, on the other, is an essential part of the scientific enterprise. The second, less emphasized conception of *experientia* is a different, separate kind of knowledge that competes with theoretical knowledge rather than serving as a temporary database for it. Consider our usage of the term “experience” in the job market, and of its complementary, yet sometimes opposing, relation to formal education: a fresh diplomat may know less than a skillful artisan and an astronomer cannot find his or her way at sea without the help of the “inferior” knowledge of the navigator. Trying to find out which is the noblest and best—*experientia, ars, or scientia*—Aristotle determines that experience is superior only in regard to actions. An action always involves a particular, and *experientia* is

<sup>45</sup> See Jacqueline Hamesse, “*Experientia/experimentum* dans les lexiques médiévaux et dans les textes philosophiques antérieurs au 14e siècle,” in *Experientia. X Colloquio internazionale, Roma, 4–6 gennaio 2001* (ed. Marco Veneziani; Lessico intellettuale europeo 91; Florence: Olschki, 2002) 77–90. As she points out, a history of *experimentum* in medical discourse is yet to be written. In their introduction to the volume *Expertus sum*, Thomas Bénatouïl and Isabelle Draelants call attention to the fact that the medieval concept of *experientia* is used not only in the natural context but with regard to spiritual phenomena and creatures as well (“Introduction,” in *Expertus sum. L'expérience par les sens dans la philosophie naturelle médiévale. Actes du colloque international de Pont-à-Mousson, 5–7 février 2009* [ed. Thomas Bénatouïl and Isabelle Draelants; Micrologus’ Library 40; Florence: SISMEL Edizioni del Galuzzo, 2011] 3–18, at 6). The three parts of their volume, however, focus on what I term here the first tradition, that is: natural philosophy, the occult, and medicine.

<sup>46</sup> Peter King, “Two Conceptions of Experience,” *Medieval Philosophy and Theology* 11 (2003) 203–26.

closer to particulars or facts than *scientia*, which is closer to universals and causes. He concludes that, as a rule, it is the theoretical that is to be called true wisdom.

The main stream in natural philosophy accepted this hierarchy to the point of neglecting experience. But in later Greek and Arabic thought, experience found its place in a group of knowledge-based fields that included medicine, optics, and alchemy, as well as occult domains, precisely because of its better position regarding particulars and its interface with practice. The classic medical textbooks claimed *ratio* and *experientia* as the two foundations of medical knowledge.<sup>47</sup> A similar approach with regard to the hidden properties of minerals, herbs, and the like, which could only be known through *experientia*, was common in the Latin world, especially since the twelfth century. Lynn Thorndike, in his monumental project, was the first to identify systematically the multitude of references to such *scientia experimentalis* and to understand the importance of this tradition.<sup>48</sup> Books of *experimenta* were widespread from the beginning of the thirteenth century, standing on the gray zone between medicine and nigromancy. Recent scholarship has attempted to assess the intellectual weight of this growing acknowledgment of sensory experience in the medieval period in general, as well as regarding individual Latin figures such as Robert Grosseteste, Roger Bacon, and Albert the Great.<sup>49</sup> All these individuals were aware of this tradition and of the role that sensory experience and *scientia experimentalis* played in its image of science, and tried somewhat to integrate such knowledge into their own writings, although the precise epistemological value they each attached to experience is difficult to

<sup>47</sup> Bénatouïl and Draelants, "Introduction," 4.

<sup>48</sup> Lynn Thorndike, *A History of Magic and Experimental Science* (8 vols; New York: Columbia University Press, 1923–1958) vol. 2.

<sup>49</sup> Two collections of articles have been devoted to the medieval concept of experience in recent years: *Erfahrung und Beweis. Die Wissenschaften von der Natur im 13. und 14. Jahrhundert / Experience and Demonstration: The Sciences of Nature in the 13<sup>th</sup> and 14<sup>th</sup> Centuries* (ed. Alexander Fidora and Matthias Lutz-Bachmann; Wissenkultur und gesellschaftlicher Wandel 14; Berlin: Akademie Verlag, 2006); and *Expertus sum* cited above (n. 45). On Robert Grosseteste see Crombie's book, which provoked a lively debate after its publication: A. C. Crombie, *Robert Grosseteste and the Origins of Experimental Science, 1100–1700* (Oxford: Clarendon, 1953). A summary of the main points can be found in idem, "Grosseteste's Position in the History of Science," in *Robert Grosseteste: Scholar and Bishop; Essays in Commemoration of the Seventh Centenary of His Death* (ed. Daniel A. Callus; Oxford: Clarendon, 1955) 98–120. Peter King's article cited above (n. 46) refers to William of Ockham in this respect as well. On Roger Bacon and optics with regard to this issue see N. W. Fisher and Sabetai Unguru, "Experimental Science and Mathematics in Roger Bacon's Thought," *Traditio* 27 (1971) 353–78; Sabetai Unguru, "Experiment in Medieval Optics," in *Physics, Cosmology, and Astronomy, 1300–1700: Tension and Accommodation* (ed. idem; Boston Studies in the Philosophy of Science 126; Dordrecht, Holland: Kluwer Academic Publishers, 1991) 163–81; Klaus Hedwig, "Roger Bacon's *Scientia experimentalis*," in *Philosophen des Mittelalters. Eine Einführung* (ed. Theo Kobush; Darmstadt: Primus, 2000) 140–51; and Jeremiah Hackett, "Experientia, Experimentum and Perception of Objects in Space: Roger Bacon," in *Raum und Raumvorstellungen im Mittelalter* (ed. Jan A. Aertsen and Andreas Speer; Miscellanea mediaevalia 25; Berlin: De Gruyter, 1998) 101–20.

determine.<sup>50</sup> All of them were in contact with the Parisian school of theology of the early thirteenth century, and undoubtedly other contemporary theologians of the time were aware of these developments as well.

Authority, reason, and experience were seen as different—harmonious or rival—strategies for attaining knowledge and legitimating it. The treatise *De potentiis anime et obiectis*, ascribed by A. D. Callus to a master of theology active in the 1220s, distinguishes experience from reason with exactly the above-mentioned occult tradition in mind. *Scientia* is defined as that which is attained through experiment or doctrine (*cognitio sumpta per viam experimenti aut doctrine*), and the motive *habitus* that pertains to knowing are divided into those through which we know by ratiocination and those “such as alchemy, through which we experience the natures of things.”<sup>51</sup> This new formulation of the Aristotelian tension leads us to the second tradition, which constituted experience both as a concomitant and as a possible competitor to books.

The terms *experiencia* and *experimentum* have an extremely important place in the writings of Bernard of Clairvaux, William of St. Thierry, and their Cistercian circles.<sup>52</sup> In Bernard’s thought, *experiencia* is constructed as the interior concomitant and “antipode” of exterior words heard during lessons. “Your interior experience should correspond to what I speak exteriorly,” he frequently remarks, advising his readers to ask for experience, rather than for what he is saying, when they are reading the *Song of Songs* together. Look at the “book of experience,” he bids them. Experience authenticates, enriches, and transcends external words. It carries precious certitude with it, which in his eyes faith lacks: “What they do not know from experience, let them believe,” he proclaims, and adds that the soul who knows by experience has a fuller and more blessed knowledge. There are cases in which understanding can follow only where experience leads. Even Christ was incarnated in order to achieve an experiential knowledge of the miseries of humanity (*homo factus experimento sciret*).<sup>53</sup> The nature of this experience is never truly explicated by him, but it is very broad, including not only rare moments of rapture and vision, but also daily experiences that occur while reading the Scriptures or praying.<sup>54</sup>

<sup>50</sup> See in particular Isabelle Draelants, “Expérience et autorités dans la philosophie naturelle d’Albert le Grand,” in *Expertus sum. L’expérience par les sens dans la philosophie naturelle médiévale. Actes du colloque international de Pont-à-Mousson, 5–7 février 2009* (ed. Thomas Bénatouïl and Isabelle Draelants; Micrologus’ Library 40; Florence: SISMEL Edizioni del Galuzzo, 2011) 89–122, where the exact meaning and value of statements such as “expertus sum” are closely examined.

<sup>51</sup> “Quidam est ut sciamus ratiocinari, et quidam est ut sciamus rerum naturas, sicut est alkimia, per ipsam enim experimentamur nos de naturis rerum” (Anonymous, *De potentiis animae et obiectis*, in D. A. Callus, “The Powers of the Soul: An Early Unpublished Text,” *RTAM* 19 [1952] 131–70, at 146–70; see 160).

<sup>52</sup> On Bernard’s extensive use of the verb *experiri* see Stock, “Experience, Praxis, Work,” 223–25, and Kilian McDonnel, “Spirit and Experience in Bernard of Clairvaux,” *TS* 58 (1997) 3–18.

<sup>53</sup> Quoted in Stock, “Experience, Praxis, Work, and Planning,” 223.

<sup>54</sup> Ibid. On Bernard’s “book of experience,” Augustine’s opposition between “word” and “experience,” and the change from the mysticism of sensory experience to the mysticism of non-

These two traditions were collated in the 1220s and 1230s by at least three theologians. A primitive attempt to draw an analogy between the natural and the spiritual spheres is found in William of Auvergne. A master of theology in the 1220s and the bishop of Paris from 1228, William exhibits a broad knowledge of the occult sciences of his time.<sup>55</sup> When discussing the difference between *scientia* and *sapientia*, he usually refers to the traditional distinction between knowledge attained through sight alone and knowledge attained through taste (*sapere*). This distinction serves William mainly to distinguish a philosophical cognition of divine things and of God himself from a theological one. In one case, however, the terms *scientia* and *sapientia* are applied to the natural field as well. The colors and forms of stones and plants are known through a *habitus scientialis*, while their occult medicinal virtues are known through a *habitus sapientialis*.<sup>56</sup> The sapiential way of knowing is therefore common to theology and to experimental lists of natural hidden properties. No clearer allusion to experience as completing reasoned, abstract knowledge by authentication appears than that in William's discussion of rapture. Paul's rapture is an *experiencia* and such experiences are important, he remarks, since they confirm the immortality of the soul. The comparison with other disciplines is explicit: "In all doctrines and disciplines we are aided by the evidence and experiences of the senses, and here as well [sic et hic]."<sup>57</sup>

William of Auxerre moves closer to the holistic image of science in the *Analytica posteriora* in his attempt to fill every rubric in theology's form for standard sciences. The most important step (on which we shall not dwell here) was to replace the notion of faith that was based on doctrine and relied on authority or reason by a notion of faith as an interior illumination analogous to that of Aristotle's cognition of first principles. The articles of faith are, according to William, the first principles of the science of theology, as immediate to the illuminated mind as the principles of every strict Aristotelian science are.<sup>58</sup> In the last chapter of the *Analytica posteriora* Aristotle maintains that the origin of these indemonstrable principles is experience, and as a rule, all intellectual knowledge is based on sense perception. When faith was seen as doctrinal, the "faith of hearing," no such experience could be attested

experience, see Bernard McGinn, "The Language of Inner Experience in Christian Mysticism," *Spiritus* 1 (2001) 156–71.

<sup>55</sup> Thorndike, *History of Magic*, 2:338–71; Antonella Sannino, "Guillaume d'Auvergne e i libri experimentorum," in *Expertus sum. L'expérience par les sens dans la philosophie naturelle médiévale. Actes du colloque international de Pont-à-Mousson, 5–7 février 2009* (ed. Thomas Bénatouïl and Isabelle Draelants; Micrologus' Library 40; Florence: SISMEL Edizioni del Galuzzo, 2011) 67–88.

<sup>56</sup> William of Auvergne, *De anima*, in *Guilielmi Alverni, Opera omnia* (2 vols.; Paris: Hotot, 1674) supp. to vol. 2:99. William does not comment on the problem of Paul's recollection at all, although he does treat Paul's rapture.

<sup>57</sup> "Respondeo in hoc quia quemadmodum in omnibus doctrinis et disciplinis adiuvamur testimoniis et experientia sensuum, sic et hic: a sensu enim animarum quibus istae irradiationes flunt ostenditur certitudo immortalitatis earum" (ibid. 194).

<sup>58</sup> William of Auxerre, *Summa aurea* 3.12.1 (3:199).

to. But now the way was open. What senses could be accounted for in theology? The answer lay in Cistercian spirituality.

As Coolman's monograph shows in detail, William was the first scholastic theologian to treat the theme of the spiritual senses, a metaphor rooted in Origen and highly developed by the Cistercians William of St. Thierry, Bernard of Clairvaux, and Baldwin of Ford.<sup>59</sup> In several places in his writings he thus construes faith as a multi-sensory experience of God. The term *experiencia* is not used explicitly but the concept is bound up with his understanding of faith as the knowledge of the principles that form the base of the entire theological enterprise.

Roland of Cremona compares experience's role in earthly and theological forms of knowledge as well, and he does that by appealing to Paul. In a rather amusing fashion the Aristotelian model is turned against Aristotle himself when Roland speaks of the difference between the understanding and wisdom of Aristotle (in this case actually the author of the *Liber de causis*) and the divine grace-given gifts of understanding and wisdom:

As there is a great difference between the cognition of him who knows the sweetness of honey he has tasted, and the cognition of him who has never tasted honey but has only heard words about honey, in the same manner the understanding of Paul in which he understood God differs from the understanding in which Aristotle understood. The same is to be said of wisdom, for the understanding that Aristotle had of the Creator was vain and frail, as the one he had on the angels. . . . The same Aristotle says that every true intellective knowledge is that which is preceded by experience. Paul had an experience of them. Aristotle did not.<sup>60</sup>

The grace of faith and of wisdom is equal to the experimental knowledge of the senses. Paul had an experience of God; Aristotle did not. Consequently, Paul had true, intellective knowledge of God, as opposed to Aristotle.

Furthermore, Roland elaborates William's implicit idea and articulates it explicitly in the prologue to his *summa*. Faith is essential for the true knowledge of theology, he maintains, as experience is essential for any other science. It is possible to "play the game" without faith, he admits, but true knowledge of theology will not ensue, that is, in the Aristotelian sense of *scientia*, since it would not be founded on sensory experience. Precisely at this point our blind man reappears, the one whose knowledge Roland was unable to accept as equal to that of Paul upon his return. A

<sup>59</sup> Boyd Taylor Coolman, *Knowing God by Experience: The Spiritual Senses in the Theology of William of Auxerre* (Washington, D.C.: Catholic University of America Press, 2004).

<sup>60</sup> "Sicut est differentia magna inter cognitionem illius qui cognoscit dulcedinem mellis qui gustavit, et cognitionem illius qui numquam gustavit aliquam dulcedinem sed tantum audivit verba de dulcedine, ita differt intellectus Pauli quo intelligebat creatorem, ab illo intellectu quo intelligebat Aristoteles; similiter dicendum est de sapientia. Unde quem habuit Aristoteles de creatore fuit vanus et non solidus, et quem habuit de angelis; unde et nullum [multum] herravit in sermone de angelis in libro de pura bonitate. Unde idem Aristoteles dicit quod omnis vera scientia intellectiva fit ita quod precedat experientia; in Paulo fuit experientia illorum, non in Aristotele" (Roland of Cremona, *Summae magistri Rolandi Cremonensis*, lib. 3, cccxv [921]).

theologian who has not tasted the sweetness of God, Roland argues, will be like the blind man from Aristotle's *Physica*: he can speak and make complicated syllogisms about colors, but he shall never have true knowledge of them.<sup>61</sup>

I have not found further explicit references in contemporary thirteenth-century texts to faith or rapture as an experience that is the theological equivalent to sensory experience in the other sciences. Perhaps this is due to the differing approach to the scientific image of theology among William of Auxerre's and Roland's contemporaries and followers. It may also be related to a stronger approach to experience as a distinct, competing road to God, rather than as an integral part of theology. Such a concomitant model is implied in an anonymous question on rapture from the 1240s. The master argues that literate people perfect in their intelligence enjoy immediate apprehension of God through the sense of hearing when they read the Scriptures. Simple ones, on the other hand, who are perfect in their life, enjoy immediate apprehension of God through experience. Paul belonged to both categories.<sup>62</sup>

## ■ Conclusion: Back to the Recollection Problem

There are at least two perspectives from which one might profitably explore the specific historical appearance of the problem of Paul's memory in early thirteenth-century theology. The first perspective is that of the strict historian of philosophy, and it has been dealt with here only indirectly. New Aristotelian and Avicennian ideas about memory in particular and intellection in general were brought into theological discussion, raising new concerns and also new approaches to solutions. These, in turn, led to the introduction of media of light into epistemological theories. Debates as to the mere possibility of an immediate vision gathered new force and were hotly discussed. New ideas regarding intelligible *species* were developed.<sup>63</sup>

<sup>61</sup> "Sine experientia enim non habetur ars vel scientia, et omnis intellecta cognitio ex preexistenti cognitione sensitiva fit. Sicut enim qui nunquam gustavit mel, nunquam habet veridicam scientiam de sapore eius, et qui nunquam vidit colores, nunquam habet scientia eorum, quia pereunte uno sensu perit et demonstratio, ita qui non est exercitatus in operibus fidei formate, theologie agnitionem non habet, et tamen scit loqui de theologia. Similiter et cecus natus scit loqui de coloribus, et tamen scientiam eorum non habet" (Giuseppe Cremascoli, "La Summa di Rolando di Cremona. Il testo del prologo," *Studi Medievali* 16 [1975] 825–76, at 867).

<sup>62</sup> "Dicendum ergo quod non uidet immediate nisi perfectus. Sed perfectus potest esse aliquis uel ex parte intelligentie, ita quod non ex parte uite licet sit bonus. Et talis potest habere uisionem immediatam, tamen potest exercitari in scripturis, et talis uisio est per medium auditus, non gustus uel uisus . . . et hoc est uisio litteratorum. Aliquando est perfectus in uita set simplex in intelligencia. Et talis potest uenire ad immediatam uisionem que est per medium experientie. Et sic multi simplices sapiunt plus quam sapientes et habent certitudinem experientie. Et horum est non raptus proprie. . . . Aliquando est perfectus ad utrumque et talium est proprie raptus" (MS Padua, Pontificia Bibliotheca Antoniana 152, f. 158ra-rb).

<sup>63</sup> Much has been written on the problem of immediate beatific vision in this period from this point of view, in particular with regard to the condemnations of 1241. See, for example, H. F. Dondaine, "L'objet et le 'medium' de la vision beatifique chez les theologiens du XIII<sup>e</sup> siècle," *RTAM* 19 (1952) 60–130; Nikolaus Wicki, *Die Lehre von der himmlischen Seligkeit in der mittelalterlichen Scholastik*

At the same time, it is possible to view this problem against the cultural concerns of the time. As shown above, the discussion reflected a lively interest in the continuity between the experiencing self and society and in the nature of their intercommunication. Rapture or ecstasy is a typical incommunicable experience: Paul heard words that could not be uttered. (Similarly, Francis of Assisi, as reported by Celano, was elevated many times in such a sweetness of contemplation that what he experienced beyond the human senses he did not reveal to anyone).<sup>64</sup> Yet the preoccupation with Paul's memory makes us suspect that not only prophets, but also ecstatic individuals, as well as knowledgeable people in general, were placed under a social demand to communicate their experiences and not to keep them to themselves.<sup>65</sup> To recall the words of the author of *quaestio 454* in Douai 434, Paul had to remember "for the benefit of the church." He could not just be enraptured and forget it. Moreover, as the negotiation over the nature of the medium shows, this communication was to involve more than arbitrary symbols, words, or implanted images. It should have been of the nature of a real index, such as Francis's *stigmata* or the medium of light.

Last, but not least, the problem of Paul's recollection and the *quaestiones de raptu* in general did not concern just rapture. They concerned the possible existence of a continuum between real experience and scientific, scholastic theological activity. Contemporary theologians were familiar with the model and image of the science of their time, which included experience next to reason and authority as an essential part of the way one acquired sound knowledge and as a means of legitimating claims. Much like their colleagues in other disciplines, theologians of the time did not incorporate experience into their classroom routine in any significant way. Nevertheless, some of them tried to construe faith and rapture as experiences equivalent to sensory experience in other disciplines, merging thereby spiritual and naturalistic perceptions. Paul's rapture figured in these attempts. Thus, with ecstatic contemplatives on the one side and natural philosophers on the other, scholastic theologians looked at themselves and wondered whether their knowledge might also have been based on a certain kind of spiritual sense-experience, or whether they were themselves just blind men speaking of colors.

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von Petrus Lombardus bis Thomas von Aquin (Studia Friburgensia 2.9; Freiburg, Switzerland: Universitätverlag, 1954); P. M. de Contenson, "Avicennisme latin et vision de Dieu au début du XIII<sup>e</sup> siècle," *Archives d'histoire doctrinale et littéraire du Moyen Âge* 26 (1959) 29–97; idem, "La théologie de la vision de Dieu au début du XIII<sup>e</sup> siècle. Le *De retributionibus sanctorum* de Guillaume d'Auvergne et la condamnation de 1241," *RSPT* 46 (1962) 409–44; and Christian Trottmann, *La vision béatifique. Des disputes scolastiques à sa définition par Benoît XII* (Bibliothèque des écoles françaises d'Athènes et de Rome 289; Rome: École française de Rome, 1995) 175–92.

<sup>64</sup> Thomas Celano, *Vita secunda* 2.64.98, in *Legenda S. Francisci Assisiensis. Saeculis XIII et XIV conscriptae* (ed. the fathers of Collegium S. Bonaventurae; Analecta franciscana 10; Quaracchi, Italy: Ad Claras Aquas, 1926–1941) 129–260, at 188.

<sup>65</sup> On the perception of supernatural knowledge as given to a specific person for the benefit of society, see Ayelet Even-Ezra, "The Conceptualization of Charisma in the Early Thirteenth Century," *Viator* 44 (2013) 151–68.

# The Conflation of Purity and Prohibition: An Interpretation of Leviticus 18:19

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## ■ Introduction

In recent years, there has been a surge in the study of ritual impurity and its relationship to immorality (or, perhaps more accurately, prohibited activity)<sup>1</sup> in biblical literature and early Judaism.<sup>2</sup> Yet relatively scant attention has been paid

<sup>1</sup> The word “morality” and its various forms, commonly used in the scholarly works to be discussed here, creates unnecessary problems, since not all acts that are prohibited in a certain culture are necessarily understood by participants in that culture as being immoral per se. This is all the more so the case when the prohibitions in question are being viewed by participants in cultures distinct, wholly or in part, from the culture in which a text was produced. For example and of immediate relevance to this article: the act of sexual intercourse between a woman and a man while the woman is menstruating may not be understood as an immoral act by (many, if not most) modern readers of the biblical text, and there is little point for purposes of the argument here in trying to discern whether a contemporary reader of the biblical text would have considered such an action to be “immoral.” Thus, I will generally refer for the remainder of this article to the relationship between impurity and “prohibited activity,” rather than to “im/morality” or “ethics” (and similarly, the relationship between ritual impurity and “prohibition-based” impurity, rather than the more common “moral” impurity), even though the language of “immorality” is generally used in the scholarly literature discussed below.

<sup>2</sup> See, for example: Tikva Frymer-Kensky, “Pollution, Purification, and Purgation in Biblical Israel,” in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday* (ed. Carol L. Meyers and M. O’Connor; ASOR Special Volume Series 1; Winona Lake, Ind.: Eisenbrauns, 1983) 399–414; David Wright, “The Spectrum of Priestly Impurity,” in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Olyan; JSOTSUP 125; Sheffield, U.K.: JSOT Press, 1991) 150–81; Hyam Maccoby, *Ritual and Morality: The Ritual Purity System and Its Place in Judaism* (New York: Cambridge University Press, 1999); Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (New York: Oxford University Press, 2000); Martha Himmelfarb, “Impurity and Sin in 4QD, 1QS, and 4Q512,” *DSD* 8 (2001) 9–37; Christine Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (New York: Oxford University Press, 2002); Thomas Kazen, *Jesus and Purity*

to one of the most important topics pertaining to impurity—the menstrual laws of Leviticus (the laws of נִדָּה [niddah]) and their development in early Jewish texts.<sup>3</sup> The *niddah* laws are uniquely important because they appear both in the context of ritual-impurity legislation (Leviticus 12 and Leviticus 15) and in the context of legislation concerning prohibited acts (Lev 18:19 and Lev 20:18). Or, to put it another way: biblical menstrual laws comprise both impurity and prohibition elements.

This article will therefore consider the relationship between the impurity-based and prohibition-based appearances of *niddah* laws in Leviticus as a lens for thinking about the relationship between impurity and prohibition in the priestly writings more generally. I will argue that, by and large, both the terminology used to describe menstruation and the legal rulings about it vary between these two settings, generally confirming the work of scholars such as David Wright, Tikva Frymer-Kensky, and Jonathan Klawans, all of whom maintain that we find two distinct kinds of impurity, one fundamentally “ritual,” and the other essentially “moral,” in biblical literature.<sup>4</sup> There is, however, an important exception to this general finding. Unlike the discussions of menstrual laws in Leviticus 12, Leviticus 15, and Lev 20:18, in which concerns about ritual impurity (i.e., Leviticus 12 and 15) and concerns about prohibited activity (i.e., Lev 20:18) are kept completely distinct, Lev 18:19 conflates these two elements by using impurity-based terminology to legislate a prohibition. What is more, Lev 18:19 occurs in a context not only focused on prohibition, but that ascribes impurity of the type called “moral” by, for example, Klawans. The conflation of these two legal discourses and these two kinds of impurity prefigures

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*Halakhah: Was Jesus Indifferent to Impurity?* (ConBNT 38; Stockholm: Almqvist & Wiksell, 2002); Jay Sklar, *Sin, Impurity, Sacrifice, Atonement: The Priestly Conceptions* (Hebrew Bible Monographs 2; Sheffield, U.K.: Sheffield Phoenix, 2005); Susan Haber, *They Shall Purify Themselves: Essays on Purity in Early Judaism* (ed. Adele Reinhartz; Early Judaism and its Literature 24; Atlanta: SBL, 2008); Naphtali S. Meshel, “Food for Thought: Systems of Categorization in Leviticus 11,” *HTR* 101 (2008) 203–29; Vered Noam, “The Dual Strategy of Rabbinic Purity Legislation,” *JSJ* 39 (2008) 471–512; Thomas Kazen, *Issues of Impurity in Early Judaism* (ConBNT 45; Winona Lake, Ind.: Eisenbrauns, 2010); Michael Rosenberg, “‘I am Impure / I am Forbidden’: Purity and Prohibition as Distinct Legal Categories in the Laws of Niddah” (Ph.D. diss., Jewish Theological Seminary of America, 2011); Leigh Trevaskis, *Holiness, Ethics and Ritual in Leviticus* (Hebrew Bible Monographs 29; Sheffield, U.K.: Sheffield Phoenix, 2011).

<sup>3</sup> Klawans does consider the menstrual laws briefly (*Impurity*, 105–8), but this discussion is relatively minimal, and most of it is focused on explaining why the menstrual laws receive greater attention in rabbinic literature than other impurity-related topics. Klawans does note that “there is one way in which the menstrual taboo differs from the other ritual impurities” in that a menstruating woman is not only “considered to be a severe source of ritual defilement in the Bible (Lev 15:24), but the act [of sexual intercourse during menstruation] is also explicitly prohibited (Lev 18:19; 20:18; ibid. 105–6).” However, he relates this fact only as a way of explaining rabbinic discussions of *niddah* as a relevant legal category, but not as significant for considering the relationship between impurity and prohibition in general. See also Himmelfarb’s treatment of sexual prohibitions generally as “bridging” the ritual and ethical realms in “Impurity and Sin,” 12–13. My argument here in some ways expands on Himmelfarb’s implications there.

<sup>4</sup> See below for a more precise explanation of the bifurcation of purity in these scholars’ thinking.

the tendency found in rabbinic literature, described already by Charlotte Fonrobert, to obfuscate impurity- and prohibition-based language and concerns with regard to *niddah*,<sup>5</sup> but also suggests that the legal framework of ritual impurity may at times be invoked even when the substantive concerns at hand are not actually (or primarily) about ritual purity. Thus, though ritual purity and moral concerns may generally be kept distinct one from the other in the Hebrew Bible, the use of the language or formal traits of one kind of impurity may at times be invoked in the service of the other and lead not only to a linguistic obfuscation, but also, in the context of the redacted whole of the Pentateuch, to a conceptual one as well.

## Recent Scholarship on Impurity and Prohibition

Understanding the Leviticus passages about menstruation requires careful attention to the interplay of ritual impurity and legislated prohibition. It is therefore helpful first to consider two of the most salient treatments of this relationship in earlier scholarship. The first is Mary Douglas's *Purity and Danger*, which was groundbreaking in its approach to purity and impurity as a coherent system that could be understood in cultural context, rather than as the mere magical vestige of "primitive" religion.<sup>6</sup> Despite its many critics, Douglas's book remains foundational to the modern study of impurity in religion.<sup>7</sup> Critical to Douglas's work is the claim that we should not view ritual impurity and religious ethics as completely separate spheres of law: "Pollution rules can have [a] socially useful function—that of marshalling moral disapproval when it lags."<sup>8</sup> This core insight of Douglas's has attracted many adherents, but the idea that ritual purity and the ethical are somehow related remains contested.<sup>9</sup> The menstrual laws of Leviticus provide us with a lens to examine Douglas's claims; if they are correct, we might expect to see, implicitly or explicitly, some interplay between passages discussing *niddah* laws as a topic of concern for ritual impurity and those treating them as a matter of prohibited activity, as we will see is indeed the case in Lev 18:19.

<sup>5</sup> Charlotte Elisheva Fonrobert, *Menstrual Purity: Rabbinic and Christian Reconstructions of Biblical Gender* (Contraversions: Jews and Other Differences; Stanford, Calif.: Stanford University Press, 2000).

<sup>6</sup> Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (New York: Routledge, 1966).

<sup>7</sup> See Douglas's critiques of previous anthropological treatments of purity in scholars such as Eliade, Frazer, and Robertson-Smith: *Purity and Danger*, 7–28. For two critiques of Douglas's approach relevant to this article, see: Jacob Neusner, *The Idea of Purity in Ancient Judaism: The Haskell Lectures, 1972–1973* (Studies in Judaism in Late Antiquity 1; Leiden: Brill, 1973) and Klawans, *Impurity*, 7–10, the latter of which will be discussed below. See also Douglas's own critiques of *Purity and Danger* in *Leviticus as Literature* (Oxford: Oxford University Press, 1999), as well as the articles in vol. 8 of the *Journal of Hebrew Scriptures*, originally presented at the International Meeting of the SBL in July 2007.

<sup>8</sup> Douglas, *Purity and Danger*, 133.

<sup>9</sup> See, for example, Maccoby, *Ritual and Morality*, and Himmelfarb, "Sin and Impurity," 13 (the latter with regard only to P, but not to H).

Douglas's work has spawned (directly and indirectly) a cottage industry of impurity studies, of which the most relevant to our present concern is Klawans's *Impurity and Sin in Ancient Judaism*. Building not only on Douglas, but also on the scholarship of Adolph Büchler<sup>10</sup> on impurity in early Judaism, as well as that of more recent biblical scholars such as Tikva Frymer-Kensky and David Wright,<sup>11</sup> Klawans argues that there are two distinct kinds of purity in both the Hebrew Bible and ancient Judaism. Ritual impurity is generally unavoidable, contagious, not sinful, and temporary. Moral impurity, by contrast, is volitional and not transmitted by means of contact from one person or object to another; it is a consequence of sin, and more or less permanent.<sup>12</sup> The effects of these two kinds of impurity are also distinct. Ritual impurity "affects the ritual status of persons stricken by it."<sup>13</sup> It leads to the defilement of people and objects, limiting their interaction with those things defined as sacred. Moral impurity, on the other hand, leads to the defilement not only of the sinner, but also of the sanctuary and the land (*not* via direct contact but rather, in an automatic sense), and, eventually, to the departing of the divine presence and exile.<sup>14</sup>

Klawans's investigation is a careful study of two different kinds of purity in the Hebrew Bible (and early Judaism), but it should also be understood as another manifestation of the larger question of the relationship between "pollution" and "morality" that Douglas discusses in *Purity and Danger*.<sup>15</sup> Insofar as moral impurity results from certain prohibited actions, examining the relationship between ritual and moral impurity is one way of reconsidering the relationship between impurity (pollution) and prohibition (morality) generally. The total separation of ritual impurity from moral impurity as described by Klawans allows for the possibility of the general separation of the ritual from the ethical in the priestly writings (even if it does not necessitate it), while the unity of meaning that Douglas attributes to impurity in the Hebrew Bible perforce implies an overlapping of the ritual and the ethical.

Klawans, then, while indebted to and acknowledging Douglas for her view of purity as a coherent system of meaning, differs from her in that he delineates not one but two distinct purity systems, one dealing with concerns relevant to the proper observance of cultic matters and the maintenance of sacred goods, and the other primarily concerned with abstention from severely prohibited acts.<sup>16</sup> He maintains

<sup>10</sup> Adolph Büchler, *Studies in Sin and Atonement in the Rabbinic Literature of the First Century* (London: Oxford University Press, 1928).

<sup>11</sup> Frymer-Kensky, "Pollution, Purification, and Purgation"; Wright, "Spectrum."

<sup>12</sup> Klawans, *Impurity*, 22–26.

<sup>13</sup> *Ibid.*, 22.

<sup>14</sup> *Ibid.*, 27–31.

<sup>15</sup> Douglas, *Purity and Danger*, 129–39.

<sup>16</sup> Klawans, *Impurity*, 11. In particular, see Klawans's exceptionally clear description of the debate between Neusner and Douglas, and why Klawans thinks that both fail to account adequately for the various biblical materials.

that in the Bible and in rabbinic literature, these ideas are kept fully separate and never conflated or combined.

Klawans's claims have been critiqued by Thomas Kazen, who argues that the distinction between "ritual" and "moral" realms is a uniquely modern one; we do not see biblical or late antique authors distinguishing between ritual and moral law.<sup>17</sup> Kazen points to the very phenomenon of the root נָטָת ("impure") appearing both in what Klawans identifies as ritual and as moral realms as proving his point: "When the same or similar terminology is being used for different phenomena, this probably reveals something about the thinking of the people using the language. . . . They were both, to varying degrees, regarded as objectionable to God, and for some reasons threatening to the sanctuary. They were associated with human feelings of aversion or disgust."<sup>18</sup>

Kazen is helpful in reminding us to take language seriously; the use of a common term in otherwise seemingly disparate settings is surely significant.<sup>19</sup> However, that significance need not be an identity of meaning in the two settings. Klawans's argument, after all, is based on the demonstration of substantive differences in biblical and early rabbinic texts between laws dealing with ritual impurity and those dealing with impurity of the prohibition-based variety; he shows that despite the use of a common term, ritual and prohibition-based impurities function differently. Our goal, then, should not be to determine some unified meaning of נָטָת both in biblical passages concerned with ritual purity and in those focused on prohibitions, but rather, to understand the effects of using the same terminology for both sets of concerns. Klawans's work is completely convincing in showing that ritual impurity and moral impurity are two distinct kinds of impurity in the Hebrew Bible, with neither dependent on the other for its meaning. I argue here, however, that close attention to menstrual-purity laws in the Hebrew Bible, and in particular to Lev 18:19, reveals a (perhaps unique)<sup>20</sup> example of the blurring of these two kinds of impurity, which therefore opens up the possibility that while terminologically and

<sup>17</sup> Kazen, *Jesus and Purity Halakhah*, 207, as well as Kazen, *Issues of Impurity*, 16. In fact, though we do not see explicit language to mark the distinction between ritual and moral law in biblical or early rabbinic literature, I show in my dissertation that Babylonian rabbis dating from the second half of the Amoraic period (i.e., roughly 300 C.E. and later) in fact do make explicit distinctions between these two realms of law, at least with regard to the laws relating to menstruation (Rosenberg, "I Am Impure"). Thus, though Kazen is right in pointing out that this self-awareness is not expressed in biblical and early rabbinic literature, it is also not a uniquely modern way of thinking about the question.

<sup>18</sup> Kazen, *Jesus and Purity Halakhah*, 210.

<sup>19</sup> In a sense, Kazen's argument is similar to that of Douglas, insofar as both view impurity as a unified idea that is consistent throughout all of its appearances. But whereas Douglas uses anthropological tools to arrive at such a description, Kazen is motivated primarily by linguistic concerns.

<sup>20</sup> See, however, Himmelfarb's brief analysis of Lev 20:21, attributed to her student Lauren Eichler Berkun, in "Impurity and Sin," 12.

formally distinct, as Klawans has shown, ritual- and prohibition-based impurity may nonetheless be interrelated.

## ■ Menstruation in Leviticus: P

The topic of menstruation appears three times in the book of Leviticus, once in P and twice in H. Additionally, postpartum bleeding and its cultic significance are discussed in Leviticus 12 (i.e., also in P) using language that both reflects and alludes to P's lone pericope about menstruation. The most extended passage in the Pentateuch discussing menstruation is found in P at Lev 15:19–33:

(19) When a woman has a discharge, her discharge being blood from her body, she remains in her menstrual impurity seven days; whoever touches her shall be impure until evening. (20) Anything she lies on during her menstrual impurity shall be impure; and anything she sits on shall be impure. (21) Anyone who touches her bedding shall launder his clothes, bathe in water, and remain impure until evening; (22) and anyone who touches any object on which she has sat shall launder his clothes, bathe in water, and remain impure until evening. (23) If it is on the bedding or on the seat on which she is sitting when he touches it, he shall be impure until evening.<sup>21</sup> (24) And if a man proceeds to lie with her, her menstrual impurity is transmitted to him, and he shall be impure seven days; any bedding on which he lies shall become impure. (25) When a woman has a discharge of blood for many days, not at the time of her menstrual impurity, or when she has a discharge beyond the time of her menstrual impurity, as long as her impure discharge lasts, she shall be impure, just as during her menstrual period. (26) Any bedding on which she lies while her discharge lasts shall be for her like bedding during her menstrual impurity; and any object on which she sits shall be impure, as during her menstrual impurity: (27) whoever touches them shall be impure; he shall launder his clothes, bathe in water, and remain impure until the evening. (28) When she is healed of her discharge, she shall count off seven days, and after that she shall be pure. (29) On the eighth day she shall obtain two turtledoves or two pigeons, and bring them to the priest at the entrance of the Tent of Meeting. (30) The priest shall offer up the one as a purification offering and the other as a burnt offering; and the priest shall effect purgation on her behalf, for her impure discharge, before the Lord. (31) You shall set apart the Israelites from their impurity, lest they die through their impurity by polluting my Tabernacle which is among them. (32) This is the procedure for the one who has a discharge: for the one who has an emission of semen and becomes impure thereby, (33) and for the one who is in her menstrual infirmity, and for anyone, male or female, who has a discharge, and for a man who lies with an impure woman.<sup>22</sup>

<sup>21</sup> The verse is very difficult to translate, due to the unclear antecedent of the Hebrew **וְהִ** (*hu'*). See Jacob Milgrom's commentary, in which Milgrom provides five possible interpretations of the verse (*Leviticus: A New Translation with Introduction and Commentary* [3 vols.; AB 3, 3A, 3B; New Haven, Conn.: Yale University Press, 1991] 1:938–40).

<sup>22</sup> Translations of all biblical texts in this article are taken from Milgrom, *Leviticus*.

The description of menstrual impurity here follows a description of male genital emissions that lead to ritual impurity.<sup>23</sup> Verses 19–24 discuss a woman with a normal<sup>24</sup> menstrual flow. Such a woman is impure for seven days (v. 19), presumably from the onset of menstruation. By contrast, vv. 25–30 describe the case of a woman with an abnormal menstrual discharge, i.e., one that appears either at an unexpected time (**בְּלֹא עַתָּה נִדְחָה**) or that extends beyond the commonly expected boundaries of a woman's normal period (**עַל נִדְחָה**). Such a woman must count seven days, after which she becomes pure (v. 28). Verses 31–33 represent a closing to the chapter; v. 31 is likely an addition from the H tradition.<sup>25</sup>

Given this passage's location in the heart of the priestly impurity legislation of Leviticus 11–16, it is not surprising that several aspects of this passage fit perfectly into Klawans's definition of ritual impurity. The impurity discussed in this passage is temporary; in the case of normal menstruation, the woman is impure for seven days (v. 19), while in the case of abnormal bleeding she is impure for seven days beyond the cessation of blood flow (v. 25). The impurity is also contagious: the woman in question can pass it on to items (vv. 20 and 26) and people (vv. 21–24, 27). The cause is unavoidable/non-volitional. Fundamentally, the impurity described here is amoral, though we will return below to consider the meaning of v. 24 and its possible relevance to this point.

In addition, the passage displays a number of distinctive traits that serve to distinguish it from the occurrences of menstruation in H to be discussed below. For example, consider the terminology used in Leviticus 15 to discuss the menstruant: *niddah* and **דָּוָה** (*dawah*) (both to be defined shortly). Leviticus 15:19–33 uses the word *niddah* and its variants to describe both the ritual state in which the woman finds herself as a result of menstruation (vv. 19, 24) and the state of menstruation itself (vv. 25, 26). In a number of places it is unclear whether the word is referring to the state of menstruation or the ritual state caused by menstruation (i.e., v. 20 and the final appearance of the root in v. 25).<sup>26</sup>

<sup>23</sup> Much has been written about the chiastic structure of this chapter and its possible implications. See, for example: Milgrom, *Leviticus*, 1:904–5; Gordon J. Wenham, *The Book of Leviticus* (NICOT 3; Grand Rapids, Mich.: Eerdmans, 1979) 216–17; Richard Whitekettle, “Leviticus 15:18 Reconsidered: Chiasm, Spatial Structure and the Body,” *JSOT* 49 (1991) 31–45.

<sup>24</sup> I am using “normal” here as something opposed to the kind of bleeding or uterine shedding described in v. 25, as I describe in the following sentences.

<sup>25</sup> Israel Knohl, *Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress, 1995; repr., Winona Lake, Ind.: Eisenbrauns, 2007) 69–70. Page numbers taken from the reprinted edition. See also Milgrom, *Leviticus*, 1:946–47.

<sup>26</sup> This ambiguity is reflected in scholarly discussions of the meaning of this word. Jacob Milgrom points out that the word takes on three different meanings in the Bible: menstrual impurity, impurity in general, and lustration. He claims that the word comes from a root about being discharged or sent out; the word originally referred to the menstrual discharge itself, but then came to refer to the woman herself, who was, at least in some communities, physically quarantined (*Leviticus*, 1:744–45). Baruch Levine, on the other hand, claims that the word refers to the physical condition of menstruation itself, not necessarily to the impurity thereby caused (*Leviticus* [Jewish Publication Society Torah Commentary 3; Philadelphia: Jewish Publication Society, 1989] 97). For more on the etymology of

In v. 33, however, a different phrase refers to the menstruant: *הַדָּוָה בְּנִידָּתָה* (*wehaddawah beniddatah*). The root נ-י-ד means to “be ill, unwell.”<sup>27</sup> The phrase in question can therefore be translated “and the one who is ill in her menstruation,” i.e., one who is literally suffering from menstrual symptoms. But it is only because of the connection to a form of the word *niddah* that the general word *dawah* takes on the more specific meaning of “menstrual symptoms.”

The word *niddah* appears in the context of the shedding of the uterine lining two other times in Leviticus: Lev 12:2 and Lev 18:19. I will turn to the latter source (which is in H) and its significance below. Lev 12:2, in context, reads as follows:

- (1) The Lord spoke to Moses, saying: (2) Speak to the Israelites thus: when a woman at childbirth bears a male, she shall be impure for seven days; she shall be impure as during the period of her menstrual infirmity. . . . (5) If she bears a female, she shall be impure for two weeks as at her menstruation, and she shall remain in [a state of] blood impurity for sixty-six days.

The phrase כִּימֵי נִידָּת דָּוָתָה (*kime niddat dewotah*, “as during the period of her menstrual infirmity”) clearly refers to a woman’s time of menstruation; it describes the known situation to which the situation at hand is compared for legal purposes. As in Lev 15:33, the word derived from the root נ-י-ד is connected, this time in construct form, to a word derived from *niddah*.<sup>28</sup> From these two verses, then, it should not be assumed that the root נ-י-ד on its own necessarily refers specifically to menstrual symptoms; it simply refers to illness more generally. Only when combined with forms of the word *niddah* is the specific meaning of menstruation and its physical symptoms intended. This, we will see, is in contrast to the word’s use in H; rather, there, the word *dawah* on its own indeed likely signals a menstruating woman.<sup>29</sup>

A second element that distinguishes P’s presentation of the menstrual laws is the distinction that P draws between normal menstruation and abnormal menstrual discharge. In Leviticus 15, as already noted above, normal menstruation leads to a relatively minor impurity of seven days, while abnormal menstrual discharge

*niddah*, see Moshe Greenberg, “The Etymology of נִידָּה ‘(Menstrual) Impurity’,” in *Solving Riddles and Untying Knots: Biblical, Epigraphic, and Semitic Studies in Honor of Jonas C. Greenfield* (ed. Zony Zevit, Seymour Gitin, and Michael Sokoloff; Winona Lake, Ind.: Eisenbrauns, 1995) 69–77.

<sup>27</sup> “נִידָּה,” BDB, 188. BDB, in fact, provides as one of the translations of this root in the adjectival form “menstruous,” and it is under this listing that they cite our verse. However, as I will argue later in this article, even if the word in fact has the specific meaning of “menstruous” in some contexts, that phenomenon is clearly a derivative of the more general meaning of “ill.” My point here is not that the word cannot or should not be translated in Lev 15:33 as “menstruous,” but rather, that the word fundamentally derives from the notion of illness.

<sup>28</sup> I have intentionally avoided referring to a root for the word *niddah* because the relevant root remains debated. See, for example, Milgrom, *Leviticus*, 1:744–45, as well as Greenberg, “The Etymology of נִידָּה.”

<sup>29</sup> If this is correct, then this example should be added to Knöhl’s and Milgrom’s lists of words and phrases with different meanings in P and H (Knöhl, *Sanctuary of Silence*, 108–10; Milgrom, *Leviticus*, 2:1325–27).

results in ongoing impurity, which extends beyond the cessation of the blood flow. In addition, abnormal menstruation requires the offering of sacrifices (vv. 29–30), while normal menstruation does not. Both of these legal distinctions are easily comprehensible. A woman's normal menstrual period, which is expected and regular, can be assumed to be done when it concludes in a way similar to several preceding occurrences, but abnormal bleeding, precisely because of its unusual nature, must be followed by some extended period of time without bleeding to determine that the flow has indeed ceased. The distinction between the two kinds of menstrual bleeding regarding offerings also makes sense, either (or both) because regular requirements of sacrifice would be an undue financial burden on women who menstruate regularly or because abnormal or unexpected bleeding, which may appear threatening or frightening, requires a more significant ritual response than does a perfectly normal and expected occurrence of menstruation. These differences, then, are both reasonable and understandable. As we will see, however, no such distinctions between normal and abnormal, or healthy and unhealthy, menstrual discharge are made in H passages about menstruation.

It is also worth taking note of the significance of washing with water, whether it be the bathing of a person or the laundering of clothing, in P generally and in Leviticus 15 in particular, although, strikingly, no immersion is explicitly required for the menstruant herself. Some scholars have understood this omission to be intentional, i.e., as implying that the menstruant does not in fact require ablutions in order to attain purity.<sup>30</sup> Jacob Milgrom, however, has argued convincingly that the omission of an immersion requirement is incidental and not legally significant.<sup>31</sup>

<sup>30</sup> See, for example, Tirtzah Meacham, "Mishnah Tractate *Niddah* with an Introduction" (Ph.D. diss., The Hebrew University of Jerusalem, 1989) 164 [Hebrew]; Shaye J. D. Cohen, "Menstruants and the Sacred in Judaism and Christianity," in *Women's History and Ancient History* (ed. Sarah B. Pomeroy, Chapel Hill, N.C.: University of North Carolina Press, 1991) 273–99, at 274–75; Judith Romney Wegner, "'Coming before the Lord': The Exclusion of Women from the Public Domain of the Israelite Priestly Cult," in *The Book of Leviticus: Composition and Reception* (VTSup 93; ed. Rolf Rendtorff and Robert A. Kugler with the assistance of Sarah Smith Bartel; Leiden: Brill, 2003) 451–65, at 452–59; Tarja S. Philip, *Menstruation and Childbirth in the Bible: Fertility and Impurity* (Studies in Biblical Literature 88; New York: Lang, 2006) 49–51.

<sup>31</sup> Milgrom points to Lev 11:40, which states merely that "one who eats the carcass of a pure animal" is "impure until evening," while parallels at Lev 17:15 and 22:6 relate that such a person indeed requires immersion. Thus, the biblical text does not consistently state the requirement of immersion in every verse where it is relevant; sometimes the immersion requirement is simply assumed (Milgrom, *Leviticus*, 1:667). Milgrom also compares the case of the menstruant, whose impurity lasts seven days, to that of corpse contamination, which also lasts seven days, and likewise requires ablutions (*ibid.*, 1:934, though see Philip's critiques of this comparison in general [*Menstruation and Childbirth*, 52]). Finally, Milgrom notes via *a fortiori* reasoning that if the relatively minor impurity of male genital emissions requires ablutions, then "all the more so the major genital discharges" (Milgrom, *Leviticus*, 1:934–35). See also Kazen, *Issues of Impurity*, 45–49, and especially 46, in which he argues that the vestiges of the chapter's redactional history reveal that the redactors intended the reader to read the material in a "systemic" way, and that Milgrom's claim about immersion is thus likely correct.

But we need not resolve the debate about immersion and menstruation in order to recognize that it is primarily the context of Lev 15:19–30 that allows Milgrom's side of the argument to get off the ground: his arguments are based on comparisons to other examples in P. In other words, if one accepts the argument of Milgrom (and others) that washing with water is a relevant biblical response to menstruation, one does so solely on the basis of the appearance of menstruation in P. Were we to read the verses about menstruation in H without Leviticus 12 and 15, there would be no obvious starting point for making such an argument. Only in P's treatment of menstruation is there reason even to consider washing as a ritual response to menstruation. Reading about menstruation in P, we might conclude that immersion is a part of the ritual process described; by contrast, a close reading of menstruation only in H (i.e., without referencing P) does not lead to this same conclusion.

Finally, I turn to a point assumed in the foregoing discussion—one of the most contentious aspects of this passage: Does Leviticus 15 (and P in general) assume there to be anything sinful about sexual relations during a woman's menstrual period? The relevant verse here is 15:24: “And if a man proceeds to lie with her, her menstrual impurity is transmitted to him, and he shall be impure seven days; any bedding on which he lies shall become impure.”<sup>32</sup> Despite assumptions and arguments made by many scholars to the contrary, this verse does not prohibit sexual relations during menstruation. The verse presents, in classic casuistic form, the consequence for sexual relations during a woman's menstrual period: the transfer of impurity from the woman to the man.

Yet despite the clear import of these words, many scholars simply assume a prohibition on menstrual sex in P. Thus, for example, in writing about the case of the parturient at the end of her seven days of impurity following the birth of a son, Baruch Levine begins, “Although she could engage in sexual relations,” implying that during the first seven days, sexual relations were forbidden.<sup>33</sup> But neither Lev 15:24 nor Leviticus 12 makes any mention of such a proscription. Of course, Levine is right that a synthetic reading of Leviticus as a whole could lead to such a conclusion, but this is not the case if one considers the relevant passages in P alone.

Even more problematic is Levine's claim that a “menstruating woman was impure *primarily* with respect to marital relations, though there were certain additional *restrictions*.<sup>34</sup> When he writes that “chapter 15 of Leviticus is best remembered for the limitations placed on sexual relations between man and wife during her menstrual period,”<sup>35</sup> he may well be right in describing the popular

<sup>32</sup> ואם שככ איש אחת ותהי נדחתה עליו וטמא שבעת ימים וכל-המשכב אשר-ישכב עליו יטמא

<sup>33</sup> Levine, *Leviticus*, 72.

<sup>34</sup> Ibid., 73 [emphasis added].

<sup>35</sup> Ibid., 99.

understanding of Leviticus's<sup>36</sup> position on menstruation, but this conclusion does not emerge from a reading of Leviticus 15 on its own terms.

But Levine is far from the only scholar to assume that Lev 15:24 prohibits sexual relations during menstruation. In an otherwise very sensitive and nuanced article comparing impurity language in P and H, David Wright nonetheless conflates the two when discussing menstruation, claiming that Lev 15:24 prohibits sexual relations during a woman's menstrual flow. In noting that some of the impurities in P are forbidden (as a way of proving, from these exceptions, that in general they are "tolerated"), Wright writes: "Since *karet* [excision] . . . is the penalty for this, it is not included in the tolerated impurities (Lev. 18.19 and its context; 20.18)."<sup>37</sup> In other words, Wright, like Levine, reads synthetically, and thus applies prohibitions found in Leviticus 18 and 20 to the impurity ruling of Lev 15:24. Reading synthetically is certainly appropriate in many instances, but in studies that aim to distinguish between two kinds of impurity, synthesis is best delayed until each passage has been read on its own. What is more, a synthetic reading of Leviticus's treatment of menstruation is hindered by the many striking differences between Leviticus 15 and Lev 20:18 delineated above. Reading locally rather than synthetically reveals that nothing in Lev 15:24 suggests a prohibition on sexual intercourse during menstruation.

Indeed, Milgrom reversed his opinion on this matter in between the writing of the first and second volumes of his commentary to Leviticus. In the first volume, commenting on Lev 15:24, Milgrom endorses the view of the medieval commentator Abravanel, who claims that the omission of an explicit prohibition does not mean that the passage's author denies the existence of such a prohibition; rather, the omission simply indicates that the author's primary interest lies elsewhere. Milgrom writes that the "possibility" that "P did not envisage any penalty at all for the violation of impurity rules . . . must be dismissed out of hand" because "P is . . . obsessed" with "the potential contamination of the sanctuary" via impurity and "its silence . . . is explicable, on the grounds supplied by Abravanel . . . that P concentrates on the effect of impurity on persons and objects and not on divine sanctions for its bearers."<sup>38</sup>

But the fact that the omission of any prohibition in P can be explained in accordance with Abravanel's interpretation need not mean that it should be. Importantly, Milgrom here does not distinguish between the prohibition of contaminating sacred goods by one's impure state and a prohibition on becoming impure. In other words, P may well be "obsessed" with the "potential contamination of the sanctuary," but that does not mean that it is obsessed with the imperative to keep individuals (other than priests) from becoming impure; so long as those

<sup>36</sup> Which, I would suggest, is popularly conceived of as P.

<sup>37</sup> Wright, "Spectrum," 158 n. 1.

<sup>38</sup> Milgrom, *Leviticus*, 1:940.

individuals keep their proper distance from sacred goods and precincts, we need not assume any problem for P.<sup>39</sup>

Milgrom, however, reversed himself in the second volume of his commentary, arguing forcefully for the idea that Lev 15:24 provides an example of legal difference between P and H. This shift in Milgrom's thinking appears motivated, at least in part, by the recognition that the proscription implied in Leviticus 15 is not the act of menstrual sex, but rather, the contact between "impure" people (people who are in a state of impurity for any reason) and holy goods: "Perhaps P's silence betrays its lack of concern with or even denial of any penalty . . . except when the impure couple comes in contact with sanctums . . . or when they neglect to purify themselves."<sup>40</sup> Later in the same volume, he refers to this possibility as "more likely."<sup>41</sup>

Of course, the fact that something is not forbidden need not (and should not) lead to the assumption that it has no negative valence. As Wright points out, "Although [the impurities of P] are allowed, they are not necessarily encouraged. The tenor of priestly legislation indicates that these impurities are to be generated as infrequently as possible."<sup>42</sup> Nonetheless, while P likely implies a negative attitude towards sexual relations during menstruation, it does so through the framework of ritual-impurity legislation, and not through prohibitions or prohibition-based impurity. In this regard, the treatment of menstruation in P stands in stark contrast to the verses regarding menstruation in H, to which we now turn our attention.

## ■ Menstruation in Leviticus: H

Unlike the lengthy discussion in Lev 15:19–33, H's references to menstruation and menstruating women—Lev 18:19 and Lev 20:18—are quite brief, each one verse only. Lev 18:19 appears in the context of a chapter central to Klawans's description of moral impurity in the Bible:<sup>43</sup>

- (1) YHWH spoke to Moses, saying: (2) Speak to the Israelites and say to them: I am YHWH your God. . . . (5) You shall heed my statutes and my rules, which if one does them, he shall live by them: I YHWH (have spoken). (6) No one shall approach anyone of his own flesh to uncover nakedness: I YHWH (have spoken). . . . (19) You shall not approach a woman during her

<sup>39</sup> Levine expresses this point well: "It is not the condition of impurity per se that evokes God's punishment, but the failure to rectify that condition so as to restore a state of purity" (*Leviticus*, 98). See also Klawans, *Impurity*, 97.

<sup>40</sup> Milgrom, *Leviticus*, 2:1353.

<sup>41</sup> Ibid., 2:1550. Charlotte Fonrobert, without stating it explicitly, also seems to understand that Lev 15:24 does not necessitate any sense of prohibition; see *Menstrual Purity*, 20. Milgrom interestingly offers a third option (presented in between that of Abravanel and the understanding that H simply overturns P's lack of prohibition), namely, that H fundamentally agrees with P that the only prohibition is on violating sancta, but that with the expansion of holiness and the divine's dwelling to the entire land, there is no safe space left for being impure.

<sup>42</sup> Wright, "Spectrum," 158.

<sup>43</sup> Klawans presents the closing of Leviticus 18 as his first example of moral impurity (*Impurity*, v–vi).

menstrual impurity to uncover her nakedness. . . . (24) Do not defile yourself in any of these (practices), for by all these (practices) the nations I am casting out before you defiled themselves. (25) Thus the land became defiled; and I called it to account for its iniquity, and the land vomited out its inhabitants. (26) You, however, must keep my statutes and my rules and commit none of these abominations, neither the citizen nor the alien who resides among you; (27) for all these abominations the people in the land who (were) before you did, and the land became defiled. (28) So let not the land vomit you out for defiling it, as it is vomiting out the nation that was before you. (29) For all who commit any of these abominations—such persons shall be cut off from their kin. (30) So you will heed my prohibitions not to commit any of these statutory abominations that were done before you, and not defile yourself by them: I (who speak) am YHWH your God.

Leviticus 18 has a tripartite structure. In Milgrom's translation, these are described as the "Opening Exhortation" (vv. 1–5), "The Prohibitions" (vv. 6–23), and the "Closing Exhortation" (vv. 24–30).<sup>44</sup> The exhortation at the beginning is focused on exile, but it does not use the language of purity. The closing exhortation, however, is a particularly conspicuous example of what Klawans calls "moral impurity."

The closing exhortation with its description of the impurity consequences of sin refers back to the prohibitions in vv. 6–23. All but one of these transgressions are sexual in nature: vv. 6–18 deal with inappropriate sexual relations with family members; v. 19 prohibits sex during menstruation; v. 20 forbids adultery; v. 21 prohibits some sort of rite of the cult of Molek; v. 22 bans sexual relations of some sort between two men; and v. 23 outlaws bestiality. I will examine v. 19 in greater depth below, following a consideration of the other appearance in H of menstruation. At this point, however, it is sufficient to note that the prohibition on sexual relations during menstruation is the only one of these laws that has any relevant parallel in the literature of P. Unlike menstruation, nowhere in P are incest, adultery, idolatry,<sup>45</sup> homosexual relations, or bestiality cited as sources of ritual impurity.

The second appearance of menstruation in H is Lev 20:18:

- (1) And YHWH spoke to Moses: (2) Any man from among the Israelites, or among the aliens residing in Israel, who dedicates any of his offspring to Molek, must be put to death; the people of the land shall pelt him with stones. . . . (7) You shall sanctify yourselves and be holy, for I YHWH am your God.
- (8) You shall heed my statutes and do them: (Thereby) I YHWH make you holy. . . . (18) If a man lies with a woman in her infirmity and uncovers her nakedness, he has laid bare her source and she has exposed the source of her blood; the two of them shall be cut off from among their kin. . . . (22) You shall heed all my statutes and all my regulations and do them, so that the land to which I bring you to settle in will not vomit you out. . . . (25) So you shall

<sup>44</sup> Milgrom, *Leviticus*, 2:1514–15.

<sup>45</sup> The question of the impurity of idolatry in biblical and rabbinic literature has been subject to debate. For both a summary of previous scholarship and a powerful argument against seeing any such impurity in the biblical texts, see Christine Hayes, *Gentile Impurities*.

distinguish between the pure and the impure quadrupeds and between the impure and the pure birds. You shall not defile your throats with a quadruped or bird or anything with which the ground teems, which I have set apart for you to treat as impure. (26) You shall be holy for me, for I YHWH am holy; therefore I have set you apart from other people to be mine.

Leviticus 20 has a very similar structure to Leviticus 18, as well as much overlapping content, and the relationship between the two chapters has been grist for much biblical scholarship.<sup>46</sup> Like Leviticus 18, it begins with an opening exhortation (though this introduction is itself preceded by a five-verse prohibition on cultic rites relating to Molek and one verse about necromancy), followed by a list of sexual prohibitions (and one prohibition about cursing parents), and concludes with a closing exhortation (the final verse is likely a later addition to the chapter, or alternatively, was moved from its original location earlier in the chapter).<sup>47</sup> One of the overlapping laws found in both Leviticus 18 and Leviticus 20 is the prohibition on sexual relations during menstruation (20:18).

However, as many commentators have noted, Leviticus 20 differs from Leviticus 18, for example, in its use of third-person casuistic, rather than second-person apodictic, legal-literary form, as well as in its inclusion of punishments. Another striking difference, relevant to our study, is the fact that unlike the closing exhortation of Leviticus 18, in which the language of impurity is used to describe the effects of sexual sins, Leviticus 20 uses impurity language only in the specific context of Molek rites (v. 3), which precedes its opening exhortation (and thus stands outside the literary structure of the unit), and in v. 25 describing animals, a usage more in line with the ritual impurity of P than with the kind of moral impurity associated with H.<sup>48</sup> Furthermore, the discussion of exile from the land that serves as an *inclusio* to the list of sexual prohibitions in Leviticus 20 makes no mention of the permanent, prohibition-based impurity of the kind found in the parallel

<sup>46</sup> See, for example, the discussion and survey of literature cited in Baruch Schwartz, *Holiness Legislation: Studies in the Priestly Code* (Publications of the Perry Foundation for Biblical Research in the Hebrew University of Jerusalem; Jerusalem: Magnes, 1999) 136 n. 8 [Hebrew] and Milgrom, *Leviticus*, 2:1765–68.

<sup>47</sup> Milgrom, *Leviticus*, 2:1765.

<sup>48</sup> The food impurities are a thorn in the side of all scholars attempting to understand impurity in the Hebrew Bible, since they seem to include elements of both ritual impurity as well as moral impurity, or at least prohibition language (i.e., there is a clear prohibition on eating these impure animals). See in particular Klawans's discussion in *Impurity*, 31–32 (as well as the work of Douglas, Harold Eilberg-Schwartz, and Milgrom cited there), and Wright, "Spectrum," 165–69. Between the two poles of viewing the food impurities as ritual or moral, Klawans favors D. Z. Hoffman's view that they have more in common with the moral impurities, since he is committed to the notion that ritual impurities are never forbidden. But even he concedes that the way in which these food impurities appear in Leviticus 20 is more in line with the ritual-impurity model than with that of moral impurity. And indeed, resolving this dilemma is not important for my point here; rather, the fact that the mention of food impurities in Leviticus 20 fits best with a ritual-purity model is the only relevant fact for the present analysis. See also Meshel, "Food for Thought."

description of exile in Lev 18:24–30.<sup>49</sup> Leviticus 18 is indeed the parade example of moral impurity in the Bible; Leviticus 20, despite so much parallel material, is concerned not at all with moral impurity, and only incidentally with ritual impurity.

The absence of impurity as a concern in Leviticus 20 highlights what is likely the most significant difference between appearances of menstruation in Lev 18:19 and the language used in Lev 20:18. Whereas the former frames the prohibition with the terminology of impurity and uses language that might even suggest that the prohibition derives from ritual purity concerns (a man may not approach a woman who is in “her menstrual impurity,” perhaps implying that the ritual impurity is the cause of the prohibition on sexual relations), the latter makes no reference to such matters, and does not even use the language of *niddah* so familiar from Leviticus 12 and 15. I present the verses here side by side for ease of comparison:

Lev 20:18	Lev 18:19
<p>וְאִישׁ אֲשֶׁר־יִשְׂכַב אֹתָהּ אִשָּׁה דָוָה וּנְלָה אֹתָהּ עֲרוֹתָה אֹתָהּ מִקְרָה הָעָרָה וְהִיא גָּלְתָה אֹתָהּ מִקְרָא דְמֵיהֶן וְנִכְרְתוּ שְׁנֵיהֶם מִקְהָב עַמּ</p> <p>If a man lies with a woman in her infirmity and uncovers her nakedness, he has laid bare her source and she has exposed the source of her blood; the two of them shall be cut off from among their kin.</p>	<p>וְאֶל־אִשָּׁה בְּנִדָּה טְמֵאתָה לֹא תִּקְרַב לְגָלוֹת עֲרוֹתָה</p> <p>You shall not approach a woman during her menstrual impurity to uncover her nakedness.</p>

A number of differences between the two versions are typical of the differences already mentioned between the two chapters more generally, such as apodictic versus casuistic forms and the inclusion of the punishment in 20:18, which is lacking in 18:19. Also noteworthy is the fact that Lev 18:19 is directed to the man, whereas 20:18, while still describing the man as the active participant (“if a man lies with a woman”), nonetheless explicitly accuses both the male and female partners and holds both accountable. But the most significant difference for my concerns here is the language used to refer to the menstruant. I noted above that the root נִידָה (from which *dawah* is derived), in the two cases in P where it refers to menstruants or menstruation, appears together with some form of the word *niddah*. In Lev 20:18, however, the word appears alone, and it is only from the description that follows (“he has laid bare her source and she has exposed the source of her blood”) that we can gather that menstruation is referred to here. Leviticus 20:18 makes no use

<sup>49</sup> Although the concerns of his study are different, Schwartz has already noted the absence from Leviticus 20 of impurity as a motivating concern, striking in light of its presence in Leviticus 18 (*Holiness Legislation*, 138–39).

of the word *niddah*; indeed, consistent with its context in Leviticus 20, it makes no mention of any kind of impurity at all.

This stands in stark contrast to the description in Lev 18:19, where the menstruating woman is referred to by the quite challenging phrase **בְּנִדָּה טְמֵאַת** (*beniddat tum'at*). This reference to impurity has the ritual sort in mind; the use in conjunction with the word *niddah* makes that much clear. As discussed above, the word *niddah* could mean the state of menstruation, or it could mean the state of ritual impurity brought on by menstruation, and it indeed appears to mean both of those things at different times. If we take it to mean menstruation, then the phrase should be translated as “a woman in the menstruation of her impurity.” This reading seems unlikely, as impurity is the broader category, and the verse is referring here specifically to the menstrual form of impurity, i.e., the impurity brought on by menstruation. In that case, however, the phrase should have read **בְּטְמֵאַת נִדְחָה** (*betum'at niddatah*).<sup>50</sup> Rather, we should take the word *niddah* to mean the ritual impurity caused by menstruation. The phrase in this case appears redundant (“a woman in the state of menstrual impurity of her impurity”), but despite the redundancy, Milgrom claims this as the literal translation of the words.<sup>51</sup> He usefully notes the work of Hanokh Yalon, who claims that “nearly synonymous” words paired together are often found in reverse order without a change of meaning. He also points out that we in fact have the reverse pair back in Lev 15:26.<sup>52</sup> Thus, Lev 18:19 introduces the ritual impurity of Leviticus 15 into a context concerned primarily with prohibition-based impurity.

This literary and legal connection to Leviticus 15 is significant for our understanding both of the relationship between impurity and prohibition generally, and of the relationship between ritual impurity and prohibition-based impurity. Despite its use of ritual-impurity language, Lev 18:19 shares the substantive concerns and other formal traits of Lev 20:18, and not Leviticus 15: it is a brief, one-verse passage rather than an extended pericope; it does not distinguish between expected menstrual flow and unexpected or unusual bleeding; and, most strikingly, it presents an explicit prohibition on the act of sexual relations during menstruation. In all of this, Lev 18:19 is substantively consistent with Lev 20:18, which is focused not on impurity, but rather on holiness, and specifically on holiness through abstention from various sexual prohibitions. However, linguistically, Lev 18:19 recalls Leviticus 15 through its use both of the word *niddah* and of the root נ-ד-ח.<sup>53</sup> In a sense, then, Lev

<sup>50</sup> This is indeed the interpretation taken by Levine, who does not engage the difficulty of the reversal of the words (*Leviticus*, 122). Perhaps he assumes the idea about reversed pairs suggested by Milgrom and discussed shortly, though if one understands *niddah* to mean “menstruation” and not “menstrual impurity,” then it and “impurity” are not necessarily “nearly synonymous pairs.”

<sup>51</sup> Milgrom, *Leviticus*, 2:1549.

<sup>52</sup> Ibid.

<sup>53</sup> The linguistic allusion to Leviticus 15 also raises the substantive interpretive question of whether Lev 18:19 implies some sort of requirement of immersion or washing. Later rabbinic law certainly assumes immersion as a requirement for ending the period of prohibition on sexual

18:19 is a sort of midway point between Leviticus 15 and Leviticus 20, or better, a conflation of the two.<sup>54</sup> While Lev 15:24 addresses sexual intercourse during menstruation in the context of ritual impurity, and Lev 20:19 considers it under the legal rubric of prohibition, Lev 18:19 expresses a proscription, the violation of which generates prohibition-based impurity, using language lifted from the context of ritual impurity. Leviticus 18:19 should thus not simply be lumped together with its companion in Lev 20:18 as a pair of verses that stand in opposition to Lev 15:24, a pair of verses that represent exclusively H's approach to menstruation while Lev 15:19–30 presents P's. Rather, the two H occurrences of the ban on sexual relations during menstruation are different from each other in an important respect. While Lev 20:18, like Leviticus 15, reflects a strict compartmentalization between impurity and prohibition, with the former dealing with prohibition and the latter considering only impurity concerns, Lev 18:19 blurs the boundary between these two legal discourses.

Not only that, but as discussed above, while Leviticus 15 is a paradigmatic example of P's ideas about impurity, Leviticus 18 is a (indeed, the) parade example of moral-/prohibition-based impurity. Yet, in the midst of the prohibitions that are summarized in that chapter's closing exhortation as generative of prohibition-based

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relations, though the origin of this requirement—even as understood by late antique, medieval, and early modern rabbinic authorities—is murky. Recall from above that washing or immersion can be connected to *niddah* laws in the first place only based on this body of law's context as part of the impurity system, since the pericope in Leviticus 15 about *niddah* does not explicitly mention immersion or washing. By introducing ritual impurity language to its expression of a prohibition on sexual intercourse, the author of Lev 18:19 also introduces the possibility of immersion as relevant to the prohibition. For an interesting intuitive grasp of this point, see the responsum of Moses Sofer, *Responsa Hetam Sofer*, *Yoreh De'ah* 194.

<sup>54</sup> I should emphasize here that when I write “midway point,” I am deliberately not making a claim about the literary history or respective dating of Lev 15:19–33, 18:19, or 20:18, but only expressing the conceptually and linguistically hybrid nature of Lev 18:19 when compared to the other verses about menstruation. Indeed, the relationship between Leviticus 18 and 20 as whole units is a complex and debated matter. Against the assumptions and claims of many earlier scholars, Baruch Schwartz has ably described the evidence for viewing these two chapters as independent compositions, that is, as opposed to being the work of a single author/editor (Schwartz, *Holiness Legislation*, 135–44), and indeed, my argument here about the important difference between Lev 18:19 and Lev 20:18 likely supports his argument. But even if these two chapters existed as separate and fundamentally independent sources, there still may have been influence from one on the other—just not in a unidirectional manner. In other words, it is possible that these chapters represent two different traditions that over time had repeated interactions and mutual influence, thus making it impossible to claim one as earlier than the other (see, for example, Erhard S. Gerstenberger, *Leviticus: A Commentary* [trans. Douglas W. Stott; Old Testament Library; Louisville, Ky.: Westminster John Knox, 1996]). In any event, my argument about Lev 18:19 neither makes necessary nor is sufficient to argue for a later dating of Leviticus 18 vis-à-vis Leviticus 20. Rather, either because some author/editor of Lev 18:19 was at some point (not necessarily its final stage of editing) familiar with some version of Lev 20:18 (again, not necessarily its final form), or because the author/editor(s) of Lev 18:19 was(were) familiar with the sort of ideas that lie behind the legislation of Lev 20:18 (but not necessarily with that actual text), some author/editor was able to create a composite of a prohibition on sexual relations during menstruation with a discourse of ritual impurity.

impurity, ritual impurity appears, evoking the laws and ideas of P and its own forms of impurity and weaving them together with the formally distinct impurity of H. Thus, Lev 18:19 is a striking example both of the interplay of impurity language and a rhetoric of prohibition, as well as of the possibility of interrelatedness for the two kinds of impurity so clearly delineated in the work of scholars such as Büchler, Wright, and Klawans. Careful reading of the Hebrew Bible indeed reveals two very different kinds of impurity; careful reading of Lev 18:19 and its context reveals that, in at least one case, these two kinds of impurity interact.

### The Significance of Category Conflation in Lev 18:19

The appearance of ritual-impurity aspects of *niddah* in the primarily moral-/prohibition-impurity framework of Leviticus 18 is particularly significant in that it represents already in the Pentateuch a model for what Fonrobert calls the “linguistic obfuscation of *niddah* in rabbinic literature.”<sup>55</sup> Fonrobert describes the ways in which rabbinic texts use the language of impurity to express not a status vis-à-vis sacred goods and the cult, but rather to describe a woman’s legal status with respect to her husband. Fonrobert points to two cases in particular, one in the Babylonian Talmud (*b. Nid.* 31) and the other in both the Palestinian and Babylonian Talmuds (*p. Ketub.* 2:5/26c = *b. Ketub.* 22b). In both of these passages, impurity language is used to describe a prohibited state, i.e., a character refers to a woman as “impure” when what is meant is that she is forbidden to engage in sexual relations (and that she is forbidden to her male sexual partner). As Fonrobert writes: “**אַנְּיָתְמִינָה** [literally, ‘I am impure’] comes to mean ‘I have my menstrual period (and therefore cannot have sexual relations with you, my husband).’”<sup>56</sup>

Careful attention to Lev 18:19 reveals that the rabbinic appropriation of purity language to express a prohibition so astutely described by Fonrobert has a biblical precedent in this verse. Even as discussions of *niddah* laws in P express clearly different concerns, rulings, and language from the two discussions of menstruation in H, Lev 18:19, like the later rabbinic texts cited by Fonrobert, uses language from the realm of purity concerns to articulate a ruling that can best be defined as a prohibition.

But it is also possible that this close analysis of Lev 18:19 reveals more than just linguistic slippage, but rather that it also has significance for our appraisal of the substantive relationship between impurity and prohibition, as well as ritual impurity and prohibition-based impurity, in the Hebrew Bible. The possibility of conflation of impurity- and prohibition-based discourses suggests that the author(s) of Lev 18:19 did not view these two formal legal realms as always and absolutely distinct. If ritual impurity and the prohibition-based impurities of Leviticus 18 were truly completely separate domains, then it would be insensible to use the P-specific

<sup>55</sup> Fonrobert, *Menstrual Purity*, 27.

<sup>56</sup> Ibid., 25–27.

impurity language of Leviticus 15 in Lev 18:19. Rather, the act of sexual relations between a man and a menstruating woman, a source of prohibition-based impurity in Leviticus 18, is somehow related to ritual impurity.

At a minimum, Lev 18:19 makes clear that a particular prohibition that generates prohibition-based impurity is defined by the bounds of a particular example of ritual impurity, i.e., heterosexual intercourse generates moral-/prohibition-based impurity when the female partner is in a state of menstrual (i.e., ritual) impurity. But we can go further: the use of a ritual-impurity marker as a definitional marker of this impurity-generating prohibition implies, or at least creates the impression, that there is some connection between the ritual impurity of menstruation and the moral impurity depicted in the closing exhortation of Leviticus 18.

What are we to make of this conflation of impurity- and prohibition-based discourses? One route is that taken by Kazen, who, as noted above, understands the use of the same word in different contexts to mean a shared set of concerns:

Provided that the moral-ritual divide, so often taken for granted by scholars, is little more than a cultural construct, how are we to explain what might to us seem as an uneasy blend of the two, in ancient contexts? Where do we find common denominators for moral and ritual behavior? I suggest that we should look for underlying cognitive-emotional experiences.<sup>57</sup>

In other words, Kazen finds in the realm of cognitive-emotional studies a single basis for both ritual- and prohibition-based law. Both are legal responses to a specific set of human experiences, and thus it should not be surprising that something such as menstruation appears in both settings.

As noted above, however, Kazen's approach takes the common appearance of the word *תָמִאָה* (*tum'ah*) as dispositively proving a shared set of concerns. And yet, contextual analysis such as that found in the work of Klawans argues against such a claim, or at least against its being self-evident. We have already seen the ways in which the discussion of menstrual impurity in Leviticus 12 and 15 fits perfectly with Klawans's formal descriptions of ritual impurity, descriptions that are wholly irrelevant to Lev 20:18, and that seem equally irrelevant to Lev 18:19, especially when considered in the context of Leviticus 18 as a whole. If we assume—as it seems reasonable to do—that the formal traits of ritual impurity in Leviticus 15 (and P more generally) reflect something about the substantive concerns motivating ritual-impurity legislation generally, then the formal differences between the treatment of menstruation in Lev 15:19–30 and that found in Lev 20:18 suggest a different set of concerns as well. Klawans's treatment of impurity, then, means that when we find a blurring of ritual- and prohibition-based impurity, as we do in Lev 18:19, we should consider looking for a blurring of two sets of concerns, rather than one shared set.

<sup>57</sup> Kazen, *Issues of Impurity*, 16–17.

Of course, identifying the concerns behind the impurity laws of P has been a significant project in biblical scholarship with nothing resembling a consensus;<sup>58</sup> suggested interpretations of impurity and its motivating concerns include a lack of wholeness,<sup>59</sup> encounters with death,<sup>60</sup> and a confluence of the life-death polarity and sexual reproduction.<sup>61</sup> I have no delusions of being able to articulate in this article an argument to prove any of these explanations (or some other one) for the ritual-impurity legislation of Leviticus generally, and the menstrual purity laws of Leviticus 12 and 15 in particular. I will, however, return shortly to consider some examples of how the obfuscation of ritual- and prohibition-based impurity described in this article might affect our thinking about ritual impurity in the Hebrew Bible.

It is first important to note, however, that whatever one makes of the meaning of ritual impurity in the Pentateuch, Lev 20:18 reveals no hint that it shares any of those concerns commonly suggested for explaining the kind of impurity that we find in P.<sup>62</sup> There is no ritual-impurity language, nor any focus on the release of bodily fluids as we see in Leviticus 15.<sup>63</sup> Rather, here we have a description of an ill woman whose genitalia have been revealed. Thus, Roy Gane's suggestion, cited in Milgrom's commentary, that the prohibition on sexual relations during a woman's menstrual period reflects a concern about her sexual vulnerability during this time is quite convincing as an explanation for the prohibition on sexual relations during menstruation in Lev 20:18.<sup>64</sup> This interpretation has the advantage of paying attention to the use of *dawah*, rather than any form of the word *niddah*, as the word

<sup>58</sup> For a partial summary of scholarly views and his critical analysis of them, see Milgrom, *Leviticus*, 1:766–68.

<sup>59</sup> Douglas, *Purity and Danger*, 51.

<sup>60</sup> Milgrom, *Leviticus*, 1:766, 1002.

<sup>61</sup> Tikva Frymer-Kensky, "Law and Philosophy: The Case of Sex in the Bible," *Semeia* 45 (1989) 89–102.

<sup>62</sup> Kazen's turn to disgust as a legal motivation indeed provides a possible way to connect the impurities of P and those of H, but it does not explain, for example, why P nowhere describes feces as impure (even as Deut 23:12–14 mandates their distancing from the military camp), nor does it explain what about the action depicted in Lev 18:19 generates "disgust."

<sup>63</sup> The verse does accuse the female partner of having revealed "the source of her blood," but even in this phrase the focus is not on the fluid itself but rather on her revealing of her own body. This focus on her participation is problematic; see n. 64.

<sup>64</sup> Milgrom, *Leviticus*, 2:1755.

One major problem with Gane's interpretation is the fact that, uniquely in Lev 20:18, the woman is held legally accountable as well, a strange phenomenon if this verse is focused on a woman's vulnerability and potential lack of legal or social ability to refuse her male spouse's sexual approach. In practice, however, this application of culpability to a female sexual partner may have been irrelevant; if we assume male readers (or hearers) of this priestly text in antiquity, then the desired effect—discouraging men from taking advantage of women's weakened physical state during menstruation—is achieved simply through the prohibition and the invocation of impurity language. This is not to discount the negative discursive effects of holding a person, meant to be protected precisely because of her vulnerability, accountable for an act that she may not have been physically or socially able to consent to or to refuse, but rather to explain why this phenomenon does not undermine Gane's fundamentally plausible interpretation.

signifying the menstruant, as well as to the context of sexual relations that take advantage of imbalanced power dynamics within the family (i.e., the incest laws of Leviticus 20). However, just as we should not apply scholarly hypotheses about the motivations for ritual-impurity law to the treatment of menstruation in H, accepting Gane's interpretation for Lev 20:18 (and thus perhaps for Lev 18:19 as well) should not cause us to apply such reasoning to Leviticus 15. It is perfectly reasonable to believe that the menstrual impurity of Leviticus 15 reflects the concerns generally connected to ritual impurity (whatever position one comes to on that matter), even as the prohibition on sexual relations during menstruation in Lev 20:18 reflects some potentially entirely other concern.

Once the H prohibition on sexual relations during menstruation incorporates the language of ritual impurity in Lev 18:19, however, the conflation inevitably affects the reader's understanding of menstruation in both P and in H. The author(s) of Leviticus 15 may not have been motivated by concerns relating to illness and vulnerability; similarly, the author(s) of Lev 20:18 may not have been trying to draw attention to matters of life, death, and the purity of the cult. The composition of Lev 18:19, however, whether through conscious or unconscious conflation,<sup>65</sup> renders these two pericopes interwoven. The powerful ritual-impurity language of Leviticus 15 has now been invoked with regard to the concerns represented in the H appearances of menstruation, while the reader of the Hebrew Bible as a redacted unit will, in reading Leviticus 15, inevitably hear the overtones of *dawah* and the connotations of illness and vulnerability that Lev 20:18's formulation carries.

For the sake of explication, I will posit here two of the common articulations of the motivations behind ritual impurity in the Hebrew Bible to explore how the blurring of different kinds of impurity in Lev 18:19 can affect a reader's

<sup>65</sup> I am deliberately agnostic on whether the blurring of the lines here was intentional, since there are good reasons to speculate for both a conscious and an unconscious weaving of ritual impurity and prohibitions/prohibition-based impurity here. The weaving could have been the deliberate work of an author/editor trying to color our reading of one passage or the other. Thus, for example, if we follow the work of scholars such as Israel Knohl in treating H as chronologically later than P, we can imagine an editor actively trying to impose H concerns about menstruation (e.g., those articulated by Gane) onto the language of *tum'ah* and its association with menstrual impurity. Once I as a reader am familiar with Lev 18:19, I will take my knowledge of that prohibition—and its obvious parallel in Lev 20:18—and hear it resonating when I read Leviticus 15. (Of course, if one were to take the view that P is later than H, the same fundamental argument for deliberate blurring could apply, just in the other direction—this time coloring the concerns about sexual vulnerability with a new set of concerns about the boundary between life and death, sexual reproduction, wholeness, etc.). On the other hand, the language of ritual impurity associated with menstruation may have been such a strong cultural meme (as is suggested, for example, by the use of menstrual impurity in Ezekiel, a book with close connections to H), that an author/editor articulating a prohibition on sexual relations during menstruation may have invoked ritual impurity as an almost unintentional literary flourish. Of course, for readers intimately familiar with the Hebrew Bible as a whole (and in some sense, for this author/editor as well), this “literary flourish” would nonetheless have had nearly immediate conceptual implications, causing the reader to read both treatments of menstruation and menstrual impurity as interrelated. Thus, the difference between an intentional and an unintentional blurring of these lines is not so significant as it might first appear.

understanding of both. I first offer here Milgrom's view that ritual impurity results from substances or events that highlight the life-death polarity, because it has been so influential (despite the fact that, like all the other explanations, one can raise valid critiques of it as an explanatory model). The motivation behind rendering menstrual blood impure, in Milgrom's scheme, is the sense that potential life is being lost. This also explains why unexpected or unusually extended shedding of the uterine lining generates more severe impurity, since it is a more frightening physical experience that may suggest actual illness. If one assumes such a motivation for menstrual impurity, then the obfuscation of Lev 18:19 introduces generalized human anxiety about the life-death polarity to the case of abuse of power in sexual relations. In the wake of Lev 18:19, such sexual abuse is not only a violation of the social order, but now a violation of the "natural" order and the maintenance of separate realms for life and death as well. Surely, this is a powerful tool for enforcing the social concerns of Lev 20:18. But the blurring works in the other direction as well. What previously would have been a somewhat abstract notion in P of the importance of taking account of moments when life and death threaten each other is now inflected with a more obviously ethical concern; perhaps we might even come to understand the separation of life and death as not only a "natural" human need, but also as a means of (and symbol for) the protection of the weak (represented by the mini- "death" of continual bleeding) from the powerful.

A similar effect on our understanding occurs if we imagine applying disgust as the explanation for pentateuchal rules about menstrual impurity in Leviticus 12 and 15. In this explanation, P codifies a human reaction to, say, menstrual blood, requiring Israelites (or perhaps only Israelite men) to keep that which they find disgusting separate from the holy. Reading ritual impurity this way, the line-blurring of Lev 18:19 lends social overtones to the primarily material original meaning of Leviticus 15; the disgust ancient Israelites (or, again, perhaps only Israelite men) felt at menstrual blood now represents the vulnerability of a sexual partner. At the same time, the prohibition on sexual relations with a menstruating woman, significantly in 18:19 addressed only to a male sexual partner, now carries a social judgment of disgust. In other words, this becomes a perfect example of what Douglas has argued (quoted above): "Pollution rules can have [a] socially useful function—that of marshalling moral disapproval when it lags."<sup>66</sup> (Of course, it is also worth noting that the need to legislate against men's having sexual intercourse with women while the latter are menstruating, and especially the invocation of ritual impurity to buttress this law and the implication that "moral disapproval" was "lagging," calls into question Kazen's attribution of the use of impurity language in Leviticus 18 and similar locations to disgust. How disgusting could Israelite men have found menstruation to be if so much legislation was required to prevent men from taking sexual advantage of their female sexual partners?)

<sup>66</sup> Douglas, *Purity and Danger*, 133.

It may well be, then, that local units of the Hebrew Bible reveal a worldview in which ritual impurity and the prohibition-based impurity of, for example, Leviticus 18 are formally distinct. Indeed, this strict compartmentalization of these two kinds of impurity, both of which appear in the context of menstruation, likely signal that the ritual impurity and the legal prohibition associated with menstruation are in some sense distinct legal realms with differing motivations and sets of concerns. The linguistic obfuscation of Lev 18:19, however, necessarily complicates a view of menstruation in P and in H as totally separate. By introducing ritual impurity into the sexual prohibition regarding menstruation, which is itself one of the laws described as generating prohibition-based impurity, the author/editor of this verse interweaves both the terminology and, at least from the perspective of a reader, the concerns about menstruation. This one example of the blurring of the lines between impurity and prohibition opens up the possibility of identifying other such cases, requiring scholars to reconsider—yet again—the relationship between impurity and prohibition in the Hebrew Bible as a whole and to be wary of depictions of that relationship that leave no room for such blurring of these lines.

# Was Priscillian a Modalist Monarchian?<sup>1</sup>

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As the first Christian bishop executed by his Christian episcopal opponents through a secular court, Priscillian of Avila has stirred the interest and imagination of many scholars.<sup>2</sup> A well-known problem with reconstructing both Priscillian's life and theology is that, apart from some authentic treatises, most of the information about him comes from the polemical statements of his sworn enemies, such as Ithacius of Ossonuba.<sup>3</sup> Sulpicius Severus contended that Ithacius was a "worthless . . . bold, loquacious, impudent, and extravagant man," and yet he "poured forth entreaties full of ill-will and accusations against Priscillian."<sup>4</sup> Although Ithacius's book is lost, writers such as Filaster, Sulpicius Severus, Orosius, Jerome, Consentius, Augustine, Leo the Great, Vincent of Lérins, Prosper of Aquitaine, Hydatius,

<sup>1</sup> "Modalist monarchianism" is a modern designation. The opponents of Priscillian preferred to call him "Sabellian" after a 3rd-cent. figure Sabellius. Sabellius allegedly taught that the distinction between the Father, Son, and Holy Spirit is only nominal (Epiphanius, *Pan.* 62). Heresiological categories—some ancient, others modern—have been part of the anti-Priscillianist rhetoric as well as of the counter-accusations that Priscillian himself employed against his opponents (see, e.g., *Tract.* 1.357–79; 2.94–109 in *Priscillian of Avila: The Complete Works* [ed. and trans. Marco Conti; Oxford Early Christian Texts; Oxford: Oxford University Press, 2010] 54–55, 74–75).

<sup>2</sup> An almost thirty-page multilingual bibliography can be found in Andrés Olivares Guillel, *Prisciliano a través del tiempo. Historia de los estudios sobre el priscilianismo* (Galicia histórica; Madrid: Fundación Pedro Barrié de la Maza, 2004) 265–91. One should also consult Sylvain Jean Gabriel Sanchez's fascinating "L'historiographie du priscillianisme (1559–2012)" and "Bibliographie chronologique des études scientifiques sur le priscillianisme," accessed July 12, 2012, at <http://sjgsanchez.free.fr/historiogsanchez.pdf> and <http://sjgsanchez.free.fr/bibliogchrono.pdf>, respectively.

<sup>3</sup> Ernest-Charles Babut, *Priscillien et le Priscillianisme* (Paris: H. Champion, 1909) 33–56, but see the analysis in Virginia Burrus, *The Making of a Heretic: Gender, Authority, and the Priscillianist Controversy* (The Transformation of the Classical Heritage 24; Berkeley: University of California Press, 1995) 126–59.

<sup>4</sup> Sulpicius Severus, *Chron.* 2.49–50.

and Isidore of Seville received their information about Priscillian mostly from Ithacius's book or from the readers of his book.<sup>5</sup> Later perceptions of Priscillian (and Priscillianists<sup>6</sup>) have, no doubt, been influenced by what these prominent figures reiterated following Ithacius.<sup>7</sup>

Since Priscillian's alleged Manichaeism, practice of magic, justifying the reading of apocryphal texts, and getting Procula pregnant have received more press than his theology, this article will investigate the allegation that Priscillian was a modalist monarchian / patripassian<sup>8</sup> in the light of his authentic treatises.<sup>9</sup> I have no intention of becoming a defense lawyer for Priscillian and rehabilitating him in all respects,<sup>10</sup> but I do argue that his Trinitarian statements are not modalist. If one does not read Priscillian in the light of the ready-made categories of heresiologists, perhaps his theological astuteness and the originality of his thought can be partially salvaged.

After Priscillian had managed to agitate some churchmen against himself by his unusual ascetic practices and interest in esoteric teachings, doctrinal accusations

<sup>5</sup> Filaster of Brescia, *Div. her.* 61 and 84; Sulpicius Severus, *Chron.* 2.46–51; Orosius, *Comm.*; among other loci and if he knew Ithacius's book at all, Jerome, *Vir. ill.* 121 (122–23) (Jerome was Pope Damasus's secretary at the time of Priscillian's visits to Rome); Consentius, *Ep.* 11\* and 12\*; Augustine, *Priscill.* and *Haer.* 70 (the bishop of Hippo says explicitly, "Now that I hear from you [i.e., Orosius] what they hold . . ." [*Priscill.* 1.1]); Leo the Great, *Ep.* 15; Vincent of Lérins, *Comm.* 24–25; Prosper of Aquitaine, *Chronicon* 734 (and 736); Hydatius, *Chronicon* 13b, 16, 32 (not to be confused with Hydatius of Mérida); and Isidore of Seville, *Vir. ill.* 15. For details, see Guillem, *Prisciliano a través del tiempo*, 38–71 and Sylvain Jean Gabriel Sanchez, *Priscillien, un chrétien non conformiste. Doctrine et pratique du priscillianisme du IVe au VIe siècle* (ThH 120; Paris: Beauchesne, 2009) 88–131.

<sup>6</sup> The earliest use of the designation "Priscillianista" is found in the title of Orosius's *Commonitorium* (414 C.E.).

<sup>7</sup> "Chaque polémiste a repris les accusations de ses prédecesseurs, sans se soucier d'en vérifier la crédibilité" (Each polemist repeated the accusations of his predecessors, without bothering to check the credibility [of these accusations]) (Sanchez, *Priscillien*, 179).

<sup>8</sup> Modalist monarchianism is an early Trinitarian view that attempted to rescue Christian monotheism by refusing to posit a separate divine being besides God the Father either from eternity or from the time of creation. The names "Father," "Son," and "Spirit" were believed to refer only to the temporary modes of God's economic activity (Hippolytus[?], *Noet.*; *Haer.* 9; Tertullian, *Prax.*). Patripassianism, a variant of modalist monarchianism, taught that God the Father was born, suffered, and died (Tertullian, *Praescr.* 7).

<sup>9</sup> Among more recent authors, Escribano does not attempt to distinguish between the writings of Priscillian and Priscillianists (M. Victoria Escribano, "Heresy and Orthodoxy in Fourth-Century Hispania: Arianism and Priscillianism," in *Hispania in Late Antiquity* [ed. and trans. Kim Bowes and Michael Kulikowski; The Medieval and Early Modern Iberian World 24; Leiden: Brill, 2005] 121–49). Sanchez makes a distinction between the original, first-generation Priscillians (*les priscilliens*) and later Priscillianists (*les priscillianistes*) (*Priscillien*, 14) and thus considers all Würzburg *Tractates* together as the earliest extant writings of Priscillians. This article, however, operates with the distinction between Priscillian's authentic writings and the writings of Priscillians/Priscillianists (see n. 22).

<sup>10</sup> In one of the most recent comprehensive assessments of Priscillian (see n. 5), Sanchez argues that although Priscillian undoubtedly demonstrated his interest in and knowledge of esoteric teachings, he was neither a gnostic nor a Manichaean. These were primarily his ascetic practices, combined with a certain dualism that caused the accusation of Manichaeism.

started to fly. However, Priscillian makes it very clear that he was not condemned at a council that he did not attend—the Council of Saragossa in 380 C.E.<sup>11</sup> “None was accused, none was found guilty, none was condemned, no crime was ascribed to our name, intention, and way of life.”<sup>12</sup> Despite Sulpicius Severus’s contrary claim,<sup>13</sup> the acts of this council do not mention either Priscillian’s name or his Trinitarian theology.<sup>14</sup> Chadwick, too, points out that the bishops at Saragossa “conspicuously fail to mention dogmatic deviation as the ground for alarm.”<sup>15</sup> Recently, Marco Conti, a translator of the works of Priscillian into English, has made a plea for paying more serious attention to “the actual content of the Priscillianist literary corpus,” instead of continuously repeating the hostile distortions of his opponents.<sup>16</sup> He estimates that Priscillianist writings are “largely orthodox and apparently unexceptionable.”<sup>17</sup> However, for Conti, this observation does not extend to Priscillian’s Trinitarian theology.

One of the most intriguing things in the authentic works of Priscillian is an early declaratory creed.<sup>18</sup> It is the oldest extant Spanish creed<sup>19</sup> and is found in *Tract. 2.47–67* of the fifth–sixth century Würzburg Manuscript, which was discovered in 1886.<sup>20</sup> The treatise itself is titled *Priscillian’s Book to Bishop Damasus (Priscilliani liber ad Damasum Episcopum)* and it comes from the years 381–382 C.E.<sup>21</sup> Although the Würzburg Manuscript does not contain the name Priscillian, *Tract. 2* is arguably one of the authentic works of the bishop of Avila.<sup>22</sup> The creed is written with the

<sup>11</sup> For the Council of Saragossa Sanchez prefers the date 379 C.E. (*Priscillien*, 32–35).

<sup>12</sup> Priscillian, *Tract. 2.28–29*; see also 2.111, 125–26, and 180–81. The fact that Priscillian could easily continue his episcopal duties in Spain after he was reinstated by Macedonius adds credence to the possibility that he was not officially condemned and deposed in the first place.

<sup>13</sup> Sulpicius Severus, *Chron. 2.47*.

<sup>14</sup> Felix Rodríguez, “Concilio I de Zaragoza. Texto crítico,” in *I Concilio Caesaraugustano. MDC aniversario* (ed. Guillermo Fatás Cabeza; Zaragoza, Spain: Institución Fernando el Católico, 1981) 9–25. It is not known whether any specific accusations of heresy were made at the Council of Bordeaux (384 C.E.[?]). The acts of this council are not extant and Sulpicius Severus does not mention any theological issues in connection with this council either (*Chron. 2.49*).

<sup>15</sup> Henry Chadwick, *Priscillian of Avila: The Occult and the Charismatic in the Early Church* (Oxford: Clarendon, 1976) 23.

<sup>16</sup> Conti, *Priscillian of Avila*, 9–13.

<sup>17</sup> Ibid., 7. Burrus has argued earlier that although the content of the extant works of Priscillian might be theologically ambiguous, “blatant Gnostic, Manichean, or monarchian errors are elusive, if not altogether absent” (*The Making of a Heretic*, 3).

<sup>18</sup> Some of the creedal clauses (incarnation, crucifixion, death, resurrection, ascension) are also listed in the given order in Priscillian, *Tract. 1.41–43*. Another partial mini-creed is found in *Tract. 3.98–101*.

<sup>19</sup> Georg Ludwig Hahn, *Bibliothek der Symbole und Glaubensregeln der alten Kirche* (Breslau: Morgenstern, 1897; repr., Hildesheim: Olms, 1962) 64 n. 129. The page number is taken from the reprinted edition.

<sup>20</sup> *Priscilliani quae supersunt. Maximam partem nuper detexit adiectisque commentariis criticis et indicibus primus* (ed. Georg Schepss; CSEL 18; Prague: Tempsky, 1889]).

<sup>21</sup> Conti, *Priscillian of Avila*, 17.

<sup>22</sup> Ibid., 15–17, 268, 278, and 300. Morin attributes *Tract. 2* to Priscillian’s friend Instantius, but

aim to prove that Priscillian and his compatriots' "faith and way of life" (*fide et uita nostra*) are blameless.<sup>23</sup>

The Creed of Priscillian of Avila:<sup>24</sup>

(Credentes) unum Deum Patrem omnipotentem (1 Cor 8:6)  
 et unum Dominum Iesum Christum (1 Cor 8:6)  
 natum ex Maria Virgine ex Spiritu Sancto (Isa 7:14; Matt 1:23; Luke 1:35)  
 passum sub Pontio Pilato crucifixum (Isa 53:12; Luke 22:37)  
 sepultum, tertia die resurrexisse (Zeph 3:8)  
 ascendisse in caelos (Acts 1:9)  
 sedere ad dexteram Dei Patris omnipotentis (Acts 7:55)  
 inde venturum et iudicaturum de vivis et mortuis (Acts 1:11)  
 (credentes) in sanctam ecclesiam  
 sanctum Spiritum  
 baptismum salutare (John 3:5)  
 (credentes) remissionem peccatorum (1 John 2:12)  
 (credentes) in resurrectionem carnis (Exod 3:6; Matt 22:31-2; Luke 20:38)<sup>25</sup>

Priscillian's *Tract. 2* quotes a considerable amount of Scripture.<sup>26</sup> The creed of Priscillian is given together with a running commentary; that is, most of the articles of the creed are backed up by scriptural quotes, which are introduced by the formula "as is written" (*sicut scribtum est*).<sup>27</sup>

his proposal has not found general acceptance (Germain Morin, "*Pro Instantio. Contre l'Attribution à Priscillien des opuscules du manuscrit de Würzburg*," *RBén* 30 [1913] 153–73). In *Vir. ill.* 121, Jerome says that Priscillian authored "many short writings" (*multa opuscula*) (see Priscillian, *Tract. 1.4–5*), but among the extant works attributed to him, only a few treatises in the Würzburg Manuscript (i.e., *Tract. 1–3* and *11–Tract. 4–10* being by anonymous Priscillianist author[s]—his *Canones* in an edited version, and an obscure fragment of his letter in Orosius's *Commonitorium*) are arguably genuine.

<sup>23</sup> Priscillian, *Tract. 2.194*. Sulpicius Severus agrees that Priscillian and his companions "set out for Rome in order that before Damasus . . . they might clear themselves of the charges brought against them" (*Chron. 2.48*).

<sup>24</sup> Priscillian, *Tract. 2.47–67*. The Latin text and references are taken from Conti, *Priscillian of Avila*, 70–72. I have added the reference to Acts 1:9 in line 6.

<sup>25</sup> "(Believing) in one God, the Father Almighty, and in one Lord, Jesus Christ, who was born of the Virgin Mary through the Holy Spirit, who suffered under Pontius Pilate, was crucified, buried, on the third day arose again, ascended into the heavens, is seated on the right hand of God, the Father Almighty, whence he will come and judge the living and the dead, (believing) the holy church, the Holy Spirit, the saving baptism, (believing) in the remission of sins, (believing) in the resurrection of the flesh."

<sup>26</sup> See Sanchez, *Priscillien*, 265–69.

<sup>27</sup> The way Priscillian combines his creed with Scripture is rather interesting. He uses the beginnings of the independent clauses of 1 Cor 8:6 as the first two articles of his creed, adds the phrase "sicut scribtum est," and then quotes the rest of these clauses. The resulting statement is: "*Believing in one God, the Father Almighty, 'from whom'* —as it is written—'all things are and we through him,' *and in one Lord, Jesus Christ, 'through whom'* —as it is written—'all things are and we through him' (*Credentes 'unum Deum Patrem Omnipotentem, 'sicut scribtum est: 'ex quo omnia et nos per ipsum,' 'et unum Dominum Iesum Christum,' sicut scribtum est, 'per quem omnia et nos per ipsum'*)" (I have added the emphases in Latin in order to highlight the words of 1 Cor 8:6).

Priscillian's creed is thereby an important example of the widespread conviction that a creed is a summary of Scripture.<sup>28</sup>

Priscillian was convinced that the creed was something that Christ "handed over to his apostles" (qui apostolis suis symbolum tradens).<sup>29</sup> For this reason, Priscillian's creed cannot really be called his "private creed."<sup>30</sup> Chadwick judges that "it is safe to assume that [the creed] is far from a private invention of Priscillian himself."<sup>31</sup> In other words, Priscillian's creed was not "fabricated" for a particular occasion and should therefore not be taken as a mere sorry attempt of a "heretic" to come clean in the eyes of Pope Damasus. Priscillian appeals to his creed as to something authoritative, received, and universally acknowledged. If the creed had been his own clever invention, his Spanish opponents would have definitely dismissed it as such.

Nevertheless, in creedal scholarship, the evaluations of his creed are too often influenced by a cold calculation that Priscillian was a heretic,<sup>32</sup> perhaps even worthy of his death sentence. Accordingly, it seems reasonable to ignore both his creed and apologetic explanations, or to take these as a clever cover-up.<sup>33</sup> Priscillian, of course, flatly denies that his confession does not match with what he believes by citing Rom 10:10 ("We confirm with our mouth what we believed with our heart").<sup>34</sup>

While in Rome, Priscillian submitted his letter, which included the creed (i.e., *Tract. 2*), to Pope Damasus. Rufinus later said that "if someone of doubtful identity turns up, he can be asked for his password [i.e., the creed], and will be revealed as

<sup>28</sup> Among other Latin authors, Anon. *Exp. sym.* 5; Augustine, *Symb.* 1, s. 212.2; Niceta of Remesiana, *Symb.* 34; Rufinus, *Exp. sym.* 18; and Quodvultdeus, *Symb.* 1.4.7, 2.1.1.

<sup>29</sup> Priscillian, *Tract.* 3.101.

<sup>30</sup> The designation "private creed" is often used to speak about the creeds by which theologically suspect people, or even quite "orthodox" ones, confessed their faith. See the long list of the so-called *Privat-Symbole* in Hahn, *Bibliothek der Symbole*, 253–363.

<sup>31</sup> Chadwick, *Priscillian of Avila*, 87. Kinzig and Vincent point out that, in connection with creeds, the word "author" has to be used in a loose sense anyway (Wolfram Kinzig and Markus Vincent, "Recent Research on the Origin of the Creed," *JTS* 50 [1999] 535–59, at 556).

<sup>32</sup> E.g., John Norman Davidson Kelly, *The Early Christian Creeds* (3rd ed.; London: Longman, 1972) 361. Sanchez, however, wisely does not want to be entangled in the unhelpful categories of heterodoxy/orthodoxy at all as he analyzes Priscillian's theology (*Priscillien*, 13, 426–37). Indeed, such retrospective categories are not particularly beneficial, because Trinitarian controversies continued long after the Council of Constantinople (381 C.E.) and thus, it was not entirely certain what the "orthodoxy" would eventually be. For this reason, I have used polemical designations, such as "modalist" or "pro-Nicene," merely to identify certain ancient theological positions without making an additional claim that any of these positions should be taken as absolutely normative.

<sup>33</sup> To assert that someone's "secret doctrinal deviance" is hidden "behind false appearances of conformity" (Burrus, *Making of a Heretic*, 16) is an age-old strategy in polemical put-downs. In Priscillian's case, this argument evidently began with Hydatius's and Ithacius's claim that Priscillian was a "closet" Manichaean (*Priscillien*, Tract. 2.141–45; Sulpicius Severus, *Chron.* 2.46). Augustine, in turn, contends that "none is comparable to them [i.e., Priscillianists] in deceitfulness" (*Ep.* 237.3).

<sup>34</sup> Priscillian, *Tract.* 1.14–15 ("ostenderemus ore quod credebamus in corde"); cf. 2.10; 3.236–37. For what it is worth, Priscillian seems never to have understood himself as anything other than "orthodox" and always confessed the catholic faith (*Tract.* 1.5, 49; 2.68, 160, 170–71).

friend or foe.”<sup>35</sup> Priscillian was doing just that: he presented a creed in order to be recognized as a (theological) “friend.”

It is almost as if Priscillian invited Pope Damasus to compare his creed with that “which was left to you [i.e., Pope Damasus] by the apostles.”<sup>36</sup> Exactly with which creed Pope Damasus was supposed to compare it is hard to say. Apparently it was not the so-called *Fides Damasi*, which originated in Gaul towards the end of the fifth century and is closer to the Nicene and Athanasian creeds than to the Old Roman Creed. The late fourth-century *Tomus Damasi*,<sup>37</sup> in turn, consists of twenty-four anathemas. Although these anathemas address several issues that are directly connected with creedal clauses, they do not enable explicit comparison. Therefore, the closest one can get to the creed used in Rome in the 380s is that which is reconstructed on the basis of Rufinus of Aquileia’s *Exposition of the Apostles’ Creed (Expositio symboli Apostolorum)*. Keeping this Old Roman Creed in mind, I argue that Priscillian’s Trinitarian theology, which is advocated in his creed and other authentic writings, should not be dubbed “modalist monarchian.”<sup>38</sup>

In the first two creedal clauses, Priscillian is following closely the wording of 1 Cor 8:6 (“[there is but] one God the Father . . . and one Lord Jesus Christ” [unus Deus Pater . . . et unus Dominus Iesus Christus]).<sup>39</sup> Hence Priscillian’s double mentioning of the word “one” (unus) and arguably also the omission of the Latin preposition “in” (in), which was characteristic of creeds when referring to the divine persons.<sup>40</sup> For comparison, most early regional variants of the Apostles’ Creed say, “I believe in God the Father” (Credo in Deum Patrem), with the preposition “in” (in), and without the word “one” (unum [accusative]).<sup>41</sup> The word “one” in front of the clauses “God the Father Almighty” (Deum Patrem Omnipotentem) and the “Lord Jesus Christ” (Dominum Iesum Christum) is also missing from other extant Spanish creeds, but Priscillian’s direct dependence on 1 Cor 8:6 explains this idiosyncrasy satisfactorily. In addition, it should be noted that the use of the word “one” in front of the Father and the Son was characteristic of Greek creeds

<sup>35</sup> Rufinus, *Exp.* 2.

<sup>36</sup> Priscillian, *Tract.* 2.176–78.

<sup>37</sup> Arnobius the Younger, *Confl.* 2.32; Theodoret, *Hist. eccl.* 5.11.

<sup>38</sup> Sanchez, too, judges that although Priscillian’s Trinitarian theology lacks precision, it cannot be called “monarchian” or “Sabellian” (*Priscillien*, 160, 166, and 172). However, and despite stating that “Priscillien soit resté fidèle au Symbole des apôtres” (Priscillian remained faithful to the Apostles’ Creed), his analysis neither focuses on Priscillian’s creed nor is limited to Priscillian’s authentic treatises (*ibid.*, 179).

<sup>39</sup> 1 Cor 8:6 is cited in Priscillian, *Tract.* 1.65–67; 2.47–49; see also Eph. 4:5–6 (“One Lord . . . one God and Father of all” [unus Dominus . . . unus Deus et Pater omnium]), which is cited partially in Priscillian, *Tract.* 1.29.

<sup>40</sup> See Rufinus, *Exp.* 36.

<sup>41</sup> See the comparative chart in Liuwe H. Westra, *The Apostles’ Creed: Origin, History, and Some Early Commentaries* (Instrumenta patristica et mediaevalia 43; Turnhout, Belgium: Brepols, 2002) 222–23.

and rules of faith.<sup>42</sup> Accordingly, the opening clauses in the earliest example of a Spanish declaratory creed are actually closer to the Latin text of the Nicene Creed (“Credimus in *unum* Deum Patrem Omnipotentem . . . et in *unum* Dominum Iesum Christum”) [emphases mine] than to the Apostles’ Creed (“Credo in Deum Patrem Omnipotentem . . . et in Christum Iesum Filium eius unicum Dominum nostrum”).<sup>43</sup>

Priscillian’s creed uses the adjective “Almighty” (*Omnipotens*) twice in connection with “God the Father” (*Deus Pater*). The Priscillianist *Tract.* 6.114, in turn, applies the adjective not only to God the Father, but also to God the Son. This is significant because the “real” modalist monarchians refused to denote the Son with the name “Almighty.”<sup>44</sup> However, Priscillian and the Priscillianists were not identifying the Father with the Son through a common adjective, but rather affirming that the Father and the Son share all divine attributes.<sup>45</sup>

A curious fact is that Priscillian’s creed does not call Jesus Christ “Son” (*Filius*), although all other extant early Latin creeds do. This omission can be interpreted in the sense that the Father and the Lord Jesus Christ, who were the “one God” (*unus Deus*), became incarnated, suffered, died, and were called “Son.”<sup>46</sup> Yet this tempting interpretation should be rejected because, in his authentic treatises, Priscillian says clearly that it was the Son (and not the Father or the whole Godhead) who became incarnate. “Christ God, *Son of God* [my emphasis] and Savior, was born, suffered in the flesh” (*Christus Deus, Dei Filius Saluator natus in carne passus*).<sup>47</sup> For this reason, the absence of the word “Son” (*Filius*) from Priscillian’s creed, too, must be explained with the wording of 1 Cor 8:6, rather than with his allegedly cunning attempt to avoid mentioning the word “Son” before the incarnation.

Likewise, the absence (or omission)<sup>48</sup> of the word “only” (*unicum*) (or “only-begotten” [*unigenitum*]) from the second clause is explained by the use of 1 Cor 8:6. Priscillian may have considered the word “unicus” redundant because of the presence of the word “one” (*unus*)—although Greek creeds certainly did

<sup>42</sup> Already *I Clem.* 46.5 repeats the word “one” three times: “Have we not one [ἕν] God, and one [ἕν] Christ, and one [Ὕπερ] Spirit of grace which has been poured upon us?”

<sup>43</sup> See the comparative chart in Westra, *Apostles’ Creed*, 226–27, and 228 n. 472. It is plausible that Priscillian knew the Latin translation of the Nicene Creed, because it could be found in Hilary of Poitiers’s *Coll. antiar.* B II 9.11.1 (356–357 C.E.), and then, in his *Syn.* 84 (358 C.E.). Priscillian had at least some knowledge of Hilary’s writings (see n. 52).

<sup>44</sup> Tertullian, *Prax.* 17.

<sup>45</sup> Priscillian says nothing about the unshared attribute “paternity” though.

<sup>46</sup> This would be the modalist position described in Hippolytus(?), *Haer.* 9.10.

<sup>47</sup> Priscillian, *Tract.* 3.100; see also 1.247–48; as well as John 1:14 (“The Word was made flesh”) in *Tract.* 1.41 and 1 John 4:2 (“The one who denies that Christ came in the flesh is the anti-Christ”) in *Tract.* 1.74–75, 346–47, 512; and 3.162–63. When Priscillian uses his favorite phrase, “Christ God” (*Christus Deus*), in *Tract.* 2.107 (see Sanchez, *Priscillien*, 162–66), he adds an epexegetic “Son of God” (*Dei Filius*). Although Christ is God, he is not “God the Father” (*Deus Pater*) (e.g., the first clause of the creed and *Tract.* 1.65), but “the Son of God” (*Filius Dei*).

<sup>48</sup> All extant early Spanish creeds, except that of Priscillian, include the word “unicum” (Westra, *Apostles’ Creed*, 226).

not. Nevertheless, there is no reason here for an argument that the absence of the word “unicum” (or “unigenitum”) has something to do with the later Priscillianist teaching of the Son being “unbegettable” (*innascibilis*), which was condemned at the Council of Toledo (400 C.E.).<sup>49</sup> It may be that the originally rhetorical juxtaposition (antithesis) in the Priscillianist *Tract.* 6.9—the “unbegettable is born” (*innascibilis nascitur*)<sup>50</sup>—developed into one-sided dogma among certain Priscillianists . . . or in the theological imagination of anti-Priscillianists. First, the unbegottenness/begottenness distinction, which played such a crucial role in heteroousian polemics,<sup>51</sup> seems not to have been a concern for Priscillian.<sup>52</sup> Second, perhaps certain Priscillianists later deliberated that Christ as the eternal God could be said to be “unbegettable.” Chadwick has pointed out that the Old Latin version of 1 Pet 1:20 reads indeed that Christ, the Son of God, “remains in the Father without beginning” (*sine initio manens in Patre*).<sup>53</sup> Calling the Son “*innascibilis*” could have been, in fact, an ingenious, Priscillianist way of making the anti-Arian argument that the eternal Son of God did not have a temporal beginning.

This takes us to another possible reason for Priscillian’s preference for the double “unum” formula in his creed—his reaction to subordinationists. The bishop of Avila does not demonstrate good knowledge of Arian theology.<sup>54</sup> “Arianism is a distant cloud on his horizon.”<sup>55</sup> Yet, in the larger anti-Arian Spanish milieu (e.g., Hosius of Cordoba [despite the embarrassing incident at the Council of Sirmium], Gregory of Elvira, Himerius of Tarragona, Audentius of Toledo, as well as Priscillianists),<sup>56</sup> Priscillian’s affirmation of the divinity of the Son as well as of monotheism makes good sense. He contends that Arians err by “dividing what is one and by desiring many Gods” (*qui diuidentes quod unum est et plures uolentes Deos*) and fail to

<sup>49</sup> *Exemp. prof.* 28–29, 37, 55; see Orosius, *Comm.* 2; Hilary of Poitiers, *Syn.* 38 (*Anathema* 26).

<sup>50</sup> See Reinhard M. Hübner, *Der paradox Eine. Antignostischer Monarchianismus in zweiten Jahrhundert* (VC Supplements, Texts and Studies of Early Christian Life and Language 50; Leiden: Brill, 1999) 66–68.

<sup>51</sup> Heteroousians contended that since the essence of God the Father was “unbegottenness,” the only-begotten Son could in no way be said to be coessential with the Father.

<sup>52</sup> Some of the Trinitarian theology found in the Würzburg Manuscript could be coming from Hilary of Poitiers’s *De Trinitate* (see CSEL 18, 168). For a much more cautious revision of the given references see Maria Veronese, “Le citazioni del ‘De Trinitate’ di Ilario nella raccolta attribuita a Priscilliano,” *Vetera Christianorum* 40 (2003) 133–57 (a proposed new index is on pages 155–57). In *Trin.* 4.33, Hilary, who certainly made a distinction between unbegottenness and begottenness, reserves the designation “*innascibilitas*” exclusively to God the Father (see also 3.3 and 9.31). Priscillian, however, does not use the word “*innascibilitas*” in his extant authentic writings.

<sup>53</sup> Chadwick, *Priscillian of Avila*, 88–89.

<sup>54</sup> It is difficult to say whom exactly the generic term “Arrianae” denotes. I have not used quotation marks for this term in my translation, because it is the designation that Priscillian actually uses (e.g., *Tract.* 1.374; 2.81).

<sup>55</sup> Chadwick, *Priscillian of Avila*, 88.

<sup>56</sup> See Escribano, “Heresy and Orthodoxy in Fourth-Century Hispania,” 121–49, who looks at Priscillianism as a continuation of the Arian controversy under a different name. That is, Escribano depicts Priscillianists as rigorist anti-Arians.

learn from Scripture that God is one.<sup>57</sup> In addition, Priscillian condemns certain Arian “mutants” called Binionites, who “divide the substance united in the power of God” (*diuidunt unitam in Dei uirtute substantiam*).<sup>58</sup> In opposition to Arians/Binionites, Priscillian stands by “the faith of one God” (*fides unius Dei*).<sup>59</sup>

While upholding monotheism and following the wording of 1 Cor 8:6, Priscillian makes the most of 1 Cor 12:3, which says that a person can say “Jesus is Lord” (*Iesus Dominus*) only in the Holy Spirit.<sup>60</sup> This Scripture, which confesses the Son to be the Lord, is not thereby denying the Lordship of the Father or the Holy Spirit. Likewise, Priscillian’s statement “but our God is Jesus Christ” (*nobis autem Deus Christus Iesus est*) is not necessarily a modalist monarchian denial of the Trinitarian persons, but rather an affirmation of the divinity of Jesus Christ.<sup>61</sup> Does not Scripture say that “the one who confesses the Son has both the Son and the Father”?<sup>62</sup> A good clue as to how Priscillian’s statement has to be taken is found in *Tract. 1.535*, “There is no other God . . . but Christ God, Son of God” (*nullum alium Deum esse . . . nisi Christum Deum Dei Filium*), which teaches that the Son of God is the one God, yet still as the Son.<sup>63</sup>

Conti’s contention that a monarchian Priscillian teaches “a single *person* [my emphasis] assuming the aspects and roles of the Son and the Holy Spirit” is supported neither by the given reference (*Tract. 11.1–15*), Priscillian’s creed, nor what is said in his other authentic treatises.<sup>64</sup> To identify the Father with the Son as one person and to identify the Father and the Son with the one God are not the same

<sup>57</sup> Priscillian, *Tract. 2.81–85*; see also 1.374.

<sup>58</sup> *Tract. 1.31–33*; also 2.12; 3.103–5.

<sup>59</sup> *Tract. 3.99*. Consider the eight scriptural proof texts in *Tract. 1.29–40*, which constitute the theological starting point for a convinced monotheist Priscillian.

<sup>60</sup> E.g., *Tract. 1.510–11*; 2.169–70; and 3.164–65.

<sup>61</sup> *Tract. 1.409–10*; see also *Tract. 2.107–9*; Priscillian(ist) *Tract. 5.91–92*. A modification that Priscillian introduces to Rev 19:10—instead of “Worship God!” one reads “Worship God Jesus!”—is arguably about Jesus’s divinity as well, rather than teaching modalist monarchianism (Priscillian, *Tract. 1.524*). In Sanchez’s assessment Priscillian “propose une vision égalitaire des personnes divines, tout en affirmant la concentration de la Trinité entière dans le personne du Christ” (offers an egalitarian hindsight of the divine persons, while affirming the concentration of the whole Trinity in the person of Christ) (*Priscillen*, 158–59).

<sup>62</sup> 1 John 2:23, cited in Priscillian, *Tract. 1.77–78*.

<sup>63</sup> Priscillian’s emphasis on Christ’s divinity fits well with his condemnation of Photinus, who is blamed for not recognizing God in Jesus Christ (*Tract. 2.85–89*). In *Tract. 1.375*, Priscillian condemns certain Homuncionites for the same reason.

<sup>64</sup> Conti, *Priscillian of Avila*, 301. After all, Priscillian does not employ the *persona*-language (see Ronald. E. Heine, “The Christology of Callistus,” *JTS* 49 [1998] 56–91, esp. 72–74). Nevertheless, following the self-perpetuating scholarly consensus, Conti asserts that by condemning Arianism and the theology of the Binionites, Priscillian “is actually proclaiming his own monarchianism” (Conti, *Priscillian of Avila*, 270; see also 300). True, Conti qualifies his assertion by saying that Priscillian’s monarchianism “appears to be substantially moderate,” but he does not explain what this “substantially moderate” monarchianism amounts to. He only juxtaposes it to a “rigid and extreme form of monarchianism” associated with Photinus (Conti, *Priscillian of Avila*, 271; see also 288). I find it odd that even when that which heresiologists have said is denounced as hostile

thing. Moreover, Priscillian's simultaneous affirmation of monotheism and Christ's divinity does not make him a modalist heretic. His theology seems compatible with the pro-Nicene Trinitarian theology<sup>65</sup> as it might have been understood in Spain in the 380s.

Once again, although *Tract. 11.10–11* is said to be “unhesitating in its monarchian theology,”<sup>66</sup> or “unquestionably and consistently monarchian,”<sup>67</sup> the claim that the Father of the Son is in the Son and vice versa (*Patrem Fili in Filio et Filium Patris in Patre*)<sup>68</sup> is not so clearly modalist monarchian after all because this suspicious phrase includes both identification and differentiation. Furthermore, the distinction seems *not* to be merely nominal, as Orosius wanted everyone to believe,<sup>69</sup> because, in the same treatise, Priscillian considers the one work of the one God to be one yet threefold—“the Holy Spirit [is found] united in the work of the two” (*unitus in opus duorum Sanctus Spiritus inuenieris*).<sup>70</sup> In John 10:37, Jesus challenges the agnostics, “If I am not doing the works of my Father, then do not believe in me.” Priscillian, who does his best to follow Scripture and evidently the Trinitarian specialist Hilary of Poitiers as well, teaches that the Father is in the Son and vice versa, because the work they do is one.<sup>71</sup> In *Tract. 1.50–51*, Priscillian argues that Christ “showed who he was [i.e., God] with his works” (*cum operibus quis esset ostenderet*).

Just as the work of the Father and the Son is one, so is their mysterious singular name. With the help of a singular name found in Matt 28:19,<sup>72</sup> Priscillian argues for the equal divinity of the Father, Son, and Holy Spirit. This singular name is allegedly “God” (*Deus*)<sup>73</sup> rather than “Beginning” (*Principium*), as Chadwick has suggested.<sup>74</sup> Here is another indication that Priscillian was following as well as he could the theology of the divine name/nature developed by a definite non-modalist/

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and not always trustworthy, their classification of Priscillian as a modalist monarchian still secretly guides the attempts at critical reconstruction of his theology.

<sup>65</sup> Since pro-Nicene theology is not a monolithic phenomenon, it would be better to emphasize “family resemblance” (Wittgenstein) and say “pro-Nicene theologies.”

<sup>66</sup> Chadwick, *Priscillian of Avila*, 68.

<sup>67</sup> Conti, *Priscillian of Avila*, 300.

<sup>68</sup> Priscillian, *Tract. 11.10–11* as compared to John 14:11 (“I am in the Father and the Father is in me”). Parallel passages, such as John 10:30 (“I and the Father are one”) and 17:21 (“Father, just as you are in me and I am in you”), are cited in Priscillian, *Tract. 1.59–60*.

<sup>69</sup> Orosius, *Comm. 2*. Orosius’s information does not match what one finds in the extant authentic treatises of Priscillian. However, since he does cite a fragment of an authentic letter, which is otherwise unknown, Orosius may have had access to documents about which we know nothing.

<sup>70</sup> Priscillian, *Tract. 11.14*, as compared to John 5:17, 19 (“My Father is always at his work to this very day, and I, too, am working. . . . The Son can do . . . only what he sees his Father doing”).

<sup>71</sup> E.g., Hilary of Poitiers, *Trin. 2.28; 4.21; 6.34; 7.21, 26, 36; 8.31; 9.17*. The argument is that the divine work of the Son and the Spirit imply their divinity.

<sup>72</sup> Cited in Priscillian, *Tract. 2.70–71, 108–9*.

<sup>73</sup> *Tract. 1.420; 3.108*.

<sup>74</sup> Chadwick, *Priscillian of Avila*, 101, who arguably bases it on Priscillian, *Tract. 1.235* and on the Priscillianist *Trin. f. cath. 384–85*.

non-monarchian Hilary of Poitiers.<sup>75</sup> That is, by attributing the single name to the Father, Son, and Holy Spirit, Priscillian is affirming their equal divinity rather than their hypostatic sameness.<sup>76</sup> The words in *Tract.* 3.102–3, “[The symbol proclaimed the Son] by showing the name of the Father in himself . . . and the Father by showing the name of the Son” (monstrans nomen Patris Filium itemque Fili Patrem), should be interpreted accordingly: “[The symbol proclaimed the Son] showing the name of the Father [which is Deus] in himself.” Such an interpretation makes much more sense in the context of Priscillian’s authentic treatises than any modalist monarchian interpretation. After all, the sentence has two subject-referents.

Next, Priscillian also mentions the singular power (*potestas*) in *Tract.* 2.72, which is an argument found in the works of various pro-Nicene patristic authors.<sup>77</sup> First Corinthians 1:24 calls the Son “the power [*uirtus*] of God.”<sup>78</sup> If the Son is the “*uirtus*” of God, and if God acts by his “*uirtus*,” the Son is inevitably involved in all *ad extra* works that God does. Because the characteristic works of God are the results of God’s power and because God’s power belongs to God’s nature, these characteristic works testify to the co-eternity and consubstantiality of the Father and the Son (and the Holy Spirit).<sup>79</sup> Priscillian adds—and this is significant—that this singular power of the one God is “threefold” (*trina*).<sup>80</sup> There is no modalist collapsing of the equally divine persons into one.

In *Tract.* 1.46–48, one finds the earliest attestation of the Johannine Comma (1 John 5:7–8).<sup>81</sup> The unique wording of the Priscillian textual variant, which is followed by some manuscripts of the Vulgate, indicates that the unity of the three divine persons (Pater, Uerbum et Spiritus) is “in Christ Jesus” (et haec tria unum sunt in Christo Iesu).<sup>82</sup> Although it does not say “these three are Jesus Christ” (et haec tria sunt Christus Iesus), the phrase certainly lends itself to a modalist monarchian interpretation.<sup>83</sup> But is such an interpretation fair, necessary or the only possible one? Perhaps Priscillian’s statement has something to do with the

<sup>75</sup> Hilary, *Trin.* 1.27; 2.1; 5.38; 7.9, 7.12; see Tarmo Toom, “Hilary of Poitiers’ *De Trinitate* and the Name(s) of God,” *VC* 64 (2010) 456–79.

<sup>76</sup> See Sanchez, *Priscillien*, 163.

<sup>77</sup> See Michel René Barnes, *The Power of God: Αἴνιαμις in Gregory of Nyssa’s Trinitarian Theology* (Washington, D.C.: Catholic University of America Press, 2001).

<sup>78</sup> Cited in Priscillian, *Tract.* 1.475. In *Tract.* 5.59, one finds the phrase “when the Word of the divine power [Conti: virtue] appeared” (cum enim uerbum diuinæ uirtutis apparuit), which suggests that “*uirtus*” is synonymous with “Deus.”

<sup>79</sup> E.g., Hilary, *Trin.* 5.4, 8.32, 9.1, and 9.12.

<sup>80</sup> Priscillian, *Tract.* 2.72; see also Marius Victorinus, *Adv. Ar.* 1.50 and 56; Augustine, *Ord.* 2.5.16.

<sup>81</sup> “And there are three who testify in heaven, the Father, the Word, and the Spirit, and these three are one in Jesus Christ.”

<sup>82</sup> This is found neither in (late) Greek textual variants (manuscripts 61, 88, 629, and 635) nor in Greek Trinitarian theology, where the Father is always the principle of the unity within the Trinity.

<sup>83</sup> According to Orosius, Priscillianists taught that “this Father, Son, Holy Spirit—with the ‘and’ removed—is Christ alone” (*Comm.* 2; but the Priscillianist *Trin. f. cath.* 337–38 has all the “ands” that one wants).

ambiguous word “beginning” (*principium*).<sup>84</sup> Priscillianists certainly claimed that Christ was the “principium,”<sup>85</sup> “the origin of all” (*origo omnium*),<sup>86</sup> yet himself “without beginning” (*sine principio*).<sup>87</sup> Were they saying that Jesus Christ was the causal principle within the Godhead?<sup>88</sup> If so, Priscillianists would clearly contradict Hilary, who calls the Father “the source of all [things]” (*origo omnium*).<sup>89</sup> But this does not seem to be the case, because as the context suggests, the issue is again the eternity of the Son (i.e., the Son being without temporal beginning) rather than the sorting out of causality within the Godhead.<sup>90</sup> Priscillian seems not to address the issue of causality within the Godhead at all. I have not found in his authentic treatises the doctrine of the monarchy of the Father—unless the cryptic phrase “the Son was in debt to the Father in the operation of the Holy Spirit” (*Filius Patri in operatione Sancti Spiritus deberet*) has something to do with it.<sup>91</sup> So, if there is anything to criticize in his “faulty” Trinitarian theology, then it would be the lack of clarity about the intra-Trinitarian relationships/causality. However, such deficiency in no way makes Priscillian a deliberate modalist monarchian.

As is evident from the discussion so far, Priscillian was deeply convinced of the oneness of (a “threefold”) God. In *Tract. 3.99*, Priscillian explicitly calls the belief in the Father, Son, and Holy Spirit “the faith in one God” (*fides unius Dei*). He seems to have been promoting a sort of “triadic unitarianism.”<sup>92</sup> The obvious problem is that monarchians of all sorts argued precisely for the oneness of God.<sup>93</sup> Although what modalist monarchianism exactly taught is debated,<sup>94</sup> as a heresiological category, it stands for a teaching that “Christ was the Father Himself, and that the Father Himself was born, and suffered, and died” (*Tὸν Χριστὸν αὐτὸν*

<sup>84</sup> Priscillian, *Tract. 1.235*.

<sup>85</sup> The Priscillianist *Tract. 6.109; 7.12–13*, as compared to Rev 22:13 (“I am . . . the first and the last”). A Latin rendering of John 8:25, too, calls the Son “principium”; see Tertullian, *Herm. 19–20*.

<sup>86</sup> The Priscillianist *Tract. 6.42*.

<sup>87</sup> *Tract. 6.43*. Referring to the Son (i.e., the eternal Word), Hilary, for example, says, “He was already with God without a beginning, who was before beginning” (*Iam sine principio est apud Deum, quod erat ante principium*) (*Trin 2.14*).

<sup>88</sup> Several anti-Nicene theologians argued that to call the Son consubstantial (*homoousios*) with the Father was to introduce two first principles into the Godhead.

<sup>89</sup> Hilary, *Trin. 2.1* and *2.6*. First Corinthians 8:6 has “Deus Pater ex quo omnia.”

<sup>90</sup> Perhaps the phrase in *Tract. 6.42* “[Christ is] the origin of all” (*origo omnium*) can also be understood in the sense that Christ as *God* is the “origin” of what came to exist; see also *Tract. 1.40–41*.

<sup>91</sup> *Tract. 11.4–5*. The monarchy of the Father is a doctrine that understands the Father as the source of everything that exists (*monos* [“only” or “single”] + *archē* [“principle”]).

<sup>92</sup> This is a neat term used by Daniel H. Williams, “Monarchianism and Photinus of Sirmium as the Persistent Heretical Face of the Fourth Century,” *HTR* 99 (2006) 187–206, at 196.

<sup>93</sup> Hippolytus(?), *Noet. 8*. Hübner contends that monarchianism was, in fact, the original anti-gnostic “orthodoxy” (*Paradox Eine*, 95–129, 207–40).

<sup>94</sup> Noetus, Sabellius, Praxeas (if not a pseudonym), and Callistus may well have had their theological differences (Heine, “Christology of Callistus,” 56–91).

εῖναι τὸν Πατέρα, καὶ αὐτὸν τὸν Πατέρα γεγεννῆσθαι καὶ πεπονθέναι καὶ ἀποτεθνηκέναι).<sup>95</sup>

This takes us to yet another aspect of monarchianism—patripassianism. According to Tertullian, patripassianists “put to flight the Paraclete and crucified the Father” (*Paracletum fugavit et Patrem crucifixit*).<sup>96</sup> Yet again, this is not at all what Priscillian is advocating in his creed and authentic treatises.<sup>97</sup> It should count for something that, in *Tract.* 1.54–67 (and again in 1.374), Priscillian condemns patripassians right after Binionites.<sup>98</sup> He pities patripassians because they fail to understand that belief in the divine *Son* gives life.<sup>99</sup> Another proof text that Priscillian mentions is Matt 8:29 (“Jesus, *Son* [emphasis mine] of the living God”), which definitely does not identify the Son with the one of whom the Son is a son.<sup>100</sup> The third proof text asserts the unity of God, but the phrase, “I and the Father *are* [emphasis mine] one” (John 10:30) would be redundant if the Son and the Father were not somehow distinct.<sup>101</sup> In all fairness, while trying to reconstruct the teaching of Priscillian, one should balance passages that emphasize the oneness of God with passages that presuppose a distinction between the Father and the Son. For example, *Tract.* 1.247–48 postulates a distinction between “the true Father” and “Christ God, Son of God.” So does *Tract.* 11.4, which does not call the Father “Son,” but says “because you are Father to the Son” (*quod Pater Filio*). Priscillian adds that the only God is “invisible in the Father, visible in the Son” (*inuisibilis in Patre, uisibilis in Filio*).<sup>102</sup> He is claiming that the Father was seen in the incarnated Son and not that the Father became the Son in the incarnation.

<sup>95</sup> Hippolytus(?), *Noet.* 1.2; see also Hippolytus(?), *Haer.* 9.2–7; Tertullian, *Prax.* 1–2; Filaster, *Div. her.* 53–54; Augustine, *Haer.* 36 and 41.

<sup>96</sup> Tertullian, *Prax.* 1. Slusser argues that patripassianism was history already in the middle of the third century (Michael Slusser, “The Scope of Patripassianism,” *StPatr* 17 [1982] 169–75).

<sup>97</sup> “Priscillian of Avila has been suspected of patripassianism, but none of the texts ascribed to him say that the Father suffered” (Slusser, “Scope of Patripassianism,” 173).

<sup>98</sup> Veronese finds it suspicious that Priscillian does not refer to those parts of Hilary’s *De Trinitate* (e.g., 1.16) where Sabellians are condemned. She thinks that Priscillian’s occasional, selective quoting from Hilary’s *De Trinitate* is simply part of the clever masquerading of his heretical doctrines (Veronese, “Le citazioni del ‘De Trinitate’ di Ilario nella raccolta attribuita a Priscilliano,” 154–55). Yet, once again, there is no similarity between what is condemned in Hilary’s *Trin* 1.16 and what Priscillian is teaching.

<sup>99</sup> Priscillian, *Tract.* 2.89–91, which quotes John 3:36 (“Whoever believes in the Son has life”) and 1 John 5:12 (“He who has the Son has life”).

<sup>100</sup> Priscillian, *Tract.* 2.91–94.

<sup>101</sup> This is argued already by Hippolytus(?), *Noet.* 7.

<sup>102</sup> *Tract.* 11.13–14. Again, one has to disagree with Conti, who thinks that the opening lines of the Priscillianist *Trin. f. cath.* reveal the author’s “typically monarchian conception of the Trinity: the invisible God showed himself to human beings in the Son” (*Priscillian of Avila*, 308). The contention that God was seen in the incarnated Son is entirely biblical and appropriate. While most of the other early Latin creeds did not do this, the Creed of Aquileia added the words “*inuisibilem et impassibilem*” to the clause about the Father in the Old Roman Creed precisely because of modalist monarchians (Rufinus, *Exp.* 5). The bishop of Aquileia explained that, in order to avoid

After distinguishing between the Father and the Son as much as his idea of the oneness of God allows, Priscillian makes a clearly anti-patripassian statement: “There is no other God but Christ God, Son of God, who was crucified for us” (*nullum alium Deum esse . . . nisi Christum Deum Dei Filium qui pro nobis crucifixum*).<sup>103</sup> This should be taken as a Christological rewording of the Shema (Deut 6:4 [“Hear, Israel, the Lord your God is one (God)”]).<sup>104</sup> Once again, Priscillian does not say that the Father suffered and was crucified; for him, it is always the enfleshed Son of God who suffered and was crucified.<sup>105</sup> A clear example is found in the above-cited *Tract.* 3.99–100, where Priscillian mentions the singular name of the Father, Son, and Holy Spirit who are the “one God,” and then adds that “Christ God, the Son of God and Savior” (*Christus Deus Dei Filius Saluator*) was born, suffered and raised.<sup>106</sup> Priscillian also ties the second clause of the creed “and one Lord Jesus Christ” (*et unum Dominum Iesum Christum*) with the middle section of the creed by paraphrasing Isa 35:4 and identifying the subject as follows “Neither a messenger nor an angel, but the Lord [Dominus] himself will come and save us.”<sup>107</sup> Such teaching is in full accordance with the Christian faith expressed in the Apostles’ Creed.

More evidence about the Trinitarian doctrine of later Priscillianists can be found in the spurious *On the Trinity of the Catholic Faith (De Trinitate fidei catholicae)*.<sup>108</sup> However, this is not an authentic writing of Priscillian, and therefore its allegedly modalist monarchian passages provide evidence only about the doctrine of later Priscillianists.<sup>109</sup> Accordingly, *De Trinitate fidei catholicae* should not be used as an inerrant template for explicating Priscillian’s creed in *Tract.* 2 and/or his Trinitarian theology. Chadwick rightly cautions that “only the Würzburg tractates provide a wholly secure criterion by which the doctrine of the movement can be assessed,”<sup>110</sup> and I would add that only (or, perhaps primarily) the *authentic*

“doctrinal novelties,” local creeds provided certain additions that were not to be found in the creed of Rome (*Exp.* 3).

<sup>103</sup> Priscillian, *Tract.* 1.535–36 (and 1.347–48).

<sup>104</sup> *Tract.* 1.37; 2.83–84, as compared to Isa 45:21 (“I am God and there is no other who is just but me”), which is cited in Priscillian, *Tract.* 1.33–34.

<sup>105</sup> *Tract.* 1.27. Compare the modalist monarchian view in Tertullian, *Prax.* 1: “[Praxeas] says that the Father himself came down into the Virgin, was himself born of her, himself suffered, indeed was himself Jesus Christ” (*ipsum dicit Patrem descendisse in uirginem, ipsum ex ea natum, ipsum passum, denique ipsum esse Iesum Christum*).

<sup>106</sup> E.g., Priscillian, *Tract.* 1.470 and the Priscillian(ist) *Tract.* 4.74; 5.12; 6.31, 107.

<sup>107</sup> *Tract.* 1.525–26. In creeds, the title “Lord” is associated with Jesus Christ.

<sup>108</sup> The Latin text and an English translation are available in Conti, *Priscillian of Avila*, 212–49 and a comparison of this treatise with the Würzburg tractates in Germain Morin, “Traité priscillianiste inédit sur la Trinité,” in *Études, textes, découvertes. Contributions à la littérature et à l’histoire des douze premiers siècles* (Anecdota Manichaeism 2/1; Paris: Picard, 1913) 151–205.

<sup>109</sup> In studying Priscillians and Priscillianists (see n. 9), Sanchez acknowledges the important change of doctrine and practice in about 400 C.E. (*Priscillien*, 14).

<sup>110</sup> Chadwick, *Priscillian of Avila*, 57.

Würzburg tractates provide a wholly secure criterion by which the doctrine of Priscillian can be assessed.

The case of Priscillian shows, yet once again, how precarious it is to reconstruct someone's theology merely on the basis of polemical texts, antagonistic accounts, and malicious rhetoric. This article has assessed Priscillian's Trinitarian theology and ascertained that according to his authentic texts, especially his *Tract. 2* together with the declaratory creed, Priscillian's teaching cannot be identified with third-century modalist monarchianism. He may have been open to apocryphal literature and to the rigorous asceticism it promoted,<sup>111</sup> and even been interested in esoteric speculations,<sup>112</sup> but his Trinitarian theology should cause no serious alarm.

<sup>111</sup> Priscillian, *Tract. 3*.

<sup>112</sup> E.g., *Tract. 1.81–375*. Accusations in Manicheism and sorcery, to which Priscillian allegedly admitted while being tortured (Ambrose, *Exp. Ps. 118.12.20*; Sulpicius Severus, *Chron. 2.50*), were basically crimes that were known to get one executed (Chadwick, *Priscillian of Avila*, 138–44).

## *Review Essay*<sup>\*</sup>

# Making the Case for the Soul in an Age of Neuroscience

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Modern philosophy has been inhospitable to the soul. In the English-speaking world, the dominant tendency, since Hobbes and Locke, has been to subordinate the mental to the physical. Even where mental phenomena are granted real existence, they are construed as effects of underlying physical processes. To explain them is to identify their physical causes. Physicalist approaches to the mind cannot but see the soul as, in Gilbert Ryle's derisive phrase, a "ghost in the machine." It is an unwanted leftover from a religious age with a bygone philosophical psychology. To the extent that mental entities do any explanatory work, modern philosophy favors "mind" over "soul."

Part of the problem is Descartes, or more precisely, the reaction to Descartes. Descartes's marking out of a special ontological domain for the *res cogitans* not only spawned an insoluble mind/body problem evident in his own day, but sponsored a dualism that looked to be a scientific dead end. The increasingly confident sciences of life and of the brain could have no truck with metaphysical entities resistant to empirical analysis. Descartes, in a distorted version, became a convenient whipping boy. Anglophone philosophy, disciplined by and attentive to science, saw Cartesian dualism as a pernicious error. Ryle called it a "category mistake," an infinitely mischievous logical lapse.

Had the soul been conceptualized along Aristotelian rather than Cartesian lines, would modern philosophy have been more receptive to it? Aristotle gives us a soul/body holism as against the dualism of his teacher, Plato. Lenn E. Goodman and D. Gregory Caramenico's

\* Lenn E. Goodman and D. Gregory Caramenico, *Coming to Mind: The Soul and Its Body*. (Chicago: University of Chicago Press, 2014).

book is in many ways an attempt to rehabilitate precisely such an Aristotelian conception. It is Aristotle for the age of neuroscience, a bold proposal to restore talk of souls as a way of securing the irreducible reality of personhood as it emerges holistically from human biology. The ambition of the book is to make soul language scientifically and philosophically cogent—to do for the soul what Alasdair MacIntyre did for virtue (5). Goodman and Caramenico aim to persuade readers not only of the acceptability of soul-talk but of its necessity. No other term approximates the richness and capaciousness of “soul”—neither “mind,” nor “self,” nor “person,” nor “subject.” Although they sometimes use these words, particularly “self,” synonymously with “soul,” they argue that the word “soul” does indispensable conceptual work. A great deal of science and philosophy is assayed to make their case. But let the reader beware: if what is expected is a defense of the soul as a spiritual entity, separable from the body, immortal, and uniquely tied to the divine—the soul of Platonic provenance alive in popular and religious imagination—then the reader will be disappointed. That is not the quarry of this book, nor by the authors’ lights would it even be reasonable to pursue such an idea. Their stance is naturalistic albeit non-reductionist. “Supernatural” beings, such as Platonic or Augustinian souls, are notional, not real.

Goodman and Caramenico want to claim that talk of souls is more than semantic; it gets at something ontological. Souls are real, albeit in a broadly Aristotelian, not a Platonic or mutatis mutandis, Cartesian way. How, then, are souls real? Souls are not, as Democritus and his followers would have it, a kind of substance made of very fine stuff: “Souls are not . . . stuff at all, not airy, quasi-physical wisps of smoke. It’s incoherent to call souls spiritual beings, and thus not physical, but then imagine spirituality as implying that souls can pass through walls or float in midair” (3). Souls have their reality at another level from that of “stuff.” In keeping with Aristotle, the reality of souls is to be sought in the concept, suitably adapted to modern science, of *form*. Thus, souls, they argue, “are emergent beings. They arise developmentally but outstrip and in some measure take charge of the bodies in which they arise” (2). Souls are emergent forms of biological organization that name “all that makes persons as such distinctive—our cognitive and affective, active and creative, appetitive and moral capabilities” (4). Soul is a name for the integrating, organizing capabilities of sentient, sapient, and agential personhood.

Aristotle asserts that if the eye were an animal, “sight would have been its soul, for sight is the substance or essence of the eye” (*De an.* 412b). Soul, then, is a matter of actualizing the potential of a living body, of actualizing it in a manner that fulfills its essence. Soul is the “first grade of actuality of a naturally organized body” (*De an.* 412b). It is the leading edge of the teleology that drives nature upward. Plants, animals, and humans all have souls, but the higher powers of the human attest to a higher type of soul. Even in the human case of rational soul, however, there is nothing that rises beyond body in the sense that it can have a separate existence, at

least as a definite individual.<sup>1</sup> (For contrast, recall Socrates's jest at the end of the *Phaed.* Crito asks him how they should bury him. Socrates replies: "Any way you like . . . if you can catch me and I don't slip through your fingers," *Phaed.* 115c.) The soul has no existence separate from the bodies it organizes, yet it exists as more than a *façon de parler*; it is not merely a way of talking about organization and functioning. For Aristotle ascribes *causal power* to the soul: it effects changes in the world. "The soul is the cause or source of the living body. . . . It is (a) the source or origin of movement, it is (b) the end, it is (c) the essence of the whole living body" (*De an.* 415b). That which can act as a cause has reality, though not the reality of a discrete, separable entity. For Aristotle, the relevant constituent of reality—that which has causal efficacy in the world—is the soul/body whole that is an individual human being. "Yet to say that it is *the soul* which is angry is as inexact as it would be to say that it is the soul that weaves webs or builds houses. It is doubtless better to avoid saying that the soul pities or learns or thinks, and rather to say that it is the man who does this with his soul" (*De an.* 408b).

Aristotle, in the view of the philosopher Peter Hacking, articulates a principle here. "Aristotle's principle," as Hacking calls it, allows one to discern the "mereological fallacy." That fallacy entails "ascribing to parts attributes that can intelligibly be ascribed only to the wholes of which they are parts."<sup>2</sup> Hacking and other philosophers, including Goodman and Caramenico, make use of this principle—and identify the corresponding fallacy—when they focus on ascribing attributes to the brain that should properly be ascribed to the whole person. That is a major strategy of Goodman and Caramenico's book. But before we explore this further, it will be useful to dwell a moment longer on Aristotle. Aristotle speaks for a holism as against dualism and on behalf of a concept of the soul as the principle of actualization of a living body. The soul *just is* the proper, teleologically oriented functioning of the natural system that is the individual plant, animal, or human being. Yet, perhaps due to the logical pressure of the grammar of nouns, the *psuchē* also acquires an entitative status. It is not just the organized, functioning whole; it is its leading part. Is it then a whole or a part? It seems to be both. I do not think that Aristotle escapes this ambiguity. He may, despite his best intentions, commit a "mereological fallacy" in the very act of cautioning against it. It remains to be seen whether this problem affects Goodman and Caramenico's book as well.

Having announced their aims, the authors present five extended arguments, each constituting a chapter, for the reality of the soul. The five arguments rhetorically evoke Aquinas's five approaches to the reality of God. The soul will be shown to

<sup>1</sup> Aristotle conceptually distinguishes soul (*psuchē*) from mind (*nous*). Mind may survive bodily demise. The active capacity of mind, its ability to achieve a knowledge identical with that which knows, is "separable, impassible, unmixed" (*De an.* 430a). This becomes the Active Intellect of medieval philosophy. How precisely it relates to the soul cannot be taken up here.

<sup>2</sup> Maxwell Bennett, Daniel Dennett, Peter Hacker, and John Searle, *Neuroscience and Philosophy: Brain, Mind, and Language* (New York: Columbia University Press, 2007) 131.

work as an actualizing, integrative force with regard to perception, consciousness, memory, agency, and creativity. In each chapter, contemporary science is used to show that some earlier philosophical and scientific views, which undermine a desirable holism, are seriously mistaken. However, contemporary scientific and philosophical views that take current theory to require the dismantling of the person or subject and its reduction to biology or brain are equally unwarranted. In the chapter on perception, for example, the authors show that the Lockean view of perception as a passive, receptive process in which a blank slate is filled with sensory impressions is dead wrong. Perception is an active, integrative process that goes on in a subject. Although much of it is preconscious, seeing is typically “seeing-as.” The life experience of a sentient subject shapes what is seen, building up from the innate “color map” in the brain (41). Locke’s view of perception as a sequence of one-off sensory stimuli falls before the *Gestalt* view; the mind has a *Bauplan*. “Perception is relational, not atomistic” (35). It entails active pattern making, interpreting, filtering, and integrating—it does not just happen, as sense-data theorists thought. It is the work of mind or, rather, eliding the two concepts, of soul. “Color semiotics underscore the active engagement of the mind and thus speak for the reality of the soul” (48). The bottom-up flow of information from retina to cortex, in the case of sight, and the top-down cortical work of the brain directing the eyes toward fields of greatest interest show the directedness of a whole being, a subject with interests. Surveying a wide swath of the sciences of perception, the authors conclude that “the mind is actively at work integrating experience from the earliest stages of perception. Souls emerge where our integrated apprehension of the world joins and helps form a sense of self” (83).

A key methodological feature of the authors’ treatment of perception (and of the other four topics) is the concept of emergence. Emergence is a philosophical term of art enlisted to counter (and, if not to oppose, then to complement) the still regnant reductionism of many of the sciences. The philosopher of science John Dupré refers to “the thesis . . . of the centrality of the endogenous.” “This is the thesis,” he continues, “that we should always favour explanations in terms of the intrinsic, structural properties of things over explanations that appeal to the influence of context or environment.” Couple that focus on internal structures with the belief that the very smallest constituents, those explicable in terms of the laws of physics, most fully reveal causality and order and you have full-blown reductionism.<sup>3</sup> (Thus, a reductionist view of human behavior would look to genes and their molecular structures to provide the best explanation. Genes create brains. Consciousness and acts of mind are explicable in principle wholly in terms of their underlying neural correlates, which are explicable in terms of chemistry, which is explicable in terms of physics. All the “causal arrows” point upwards from the stipulated ontological bottom.)

<sup>3</sup> John Dupré, *Human Nature and the Limits of Science* (Oxford: Oxford University Press, 2001) 72–73.

An emergent view, by contrast, sees the context in which parts are organized as having its own reality and explanatory power. All the arrows of causation are not found at the bottom pointing up. Some of them are also top-down. "When attributes or activities," Goodman and Caramenico write, "are not adequately explained by the elemental, one needs to speak of emergence and resist presuming that if we knew the makeup of things and the simplest properties of their simplest parts all natural mysteries would dissolve. That dream ignores the many ways in which complexity outstrips analysis" (19). Emergent systems require explanation in terms of the whole rather than the parts. It will not do to speak of a landscape painting as strokes and blotches of paint on a canvas; one must explain the image that has emerged from the (colorless, at the molecular level) paint. One must explain not only the physics of light and the neurophysiology of our perception of color as well as of the image, but also our endowing the image with meaning, our meaningful experience of the painting. There are levels and levels of *Gestalten* that properly resist reduction to explanation in terms of smallest parts—the mereological fallacy. Aesthetics cannot be resolved into physics. All of these levels have their own proper discourse.

To take an emergentist view is to attend *both* to the "properties or substances that, on the one hand, 'arise' out of more fundamental properties or substances and thus depend on those latter properties or substances *and* that are, on the other hand, 'novel' or 'irreducible' and thus in a certain sense independent from, the more fundamental properties or substances."<sup>4</sup> The higher-level organizational properties supervene on—that is, track and depend on—the lower-level ones, but they also order and control the basal properties. A strong theory of emergence (as opposed to a weak, epistemic one) requires "downward causation"—the emergent systems have causal power over the lower-level systems from which they have emerged. This remains somewhat controversial, rejected by physicalists such as the philosopher Jaegwon Kim. But Goodman and Caramenico are strongly invested in it. An example of downward causation would be: natural selection drives evolution at a genetic level, but given the emergence of creatures adapted to their environmental niches, their success in reproduction determines which genetic populations survive. In the case of humans, our consciousness, emergent in yet unexplained ways from our biological substrata, comes to direct our life processes through even more emergent phenomena, such as culture, downwardly organizing the biological bases out of which we have arisen. Consciousness and culture impact genomes; causation is not just bottom-up, it is also top-down. Goodman's fellow Gifford lecturer, Michael Gazzaniga, explains:

On the neurophysiological level, we are born with a sense of fairness and some other moral intuitions. These intuitions contribute to our moral judgments on the behavioral level, and, higher up the chain, our moral

<sup>4</sup> Angela Matthies, Andrew Stephenson, and Nick Tasker, *The Concept of Emergence in Systems Biology: A Project Report*, accessed October 21, 2014, [http://www.stats.ox.ac.uk/\\_data/assets/pdf\\_file/0018/3906/Concept\\_of\\_Emergence.pdf](http://www.stats.ox.ac.uk/_data/assets/pdf_file/0018/3906/Concept_of_Emergence.pdf) [emphasis added].

judgments contribute to the moral and legal laws we construct for our societies. These moral laws and legal laws on the societal scale provide feedback that constrains behavior. The social pressures on the individual at the behavior level affect his survival and reproduction and thus what underlying brain processes are selected for.<sup>5</sup>

Goodman and Caramenico read the relevant science of perception, consciousness, memory, agency, and creativity as requiring and warranting an emergentist story rather than a reductionist one. The cogency and, as they see it, the necessity of soul-talk enters with the logic of emergence. They are not alone in building a strong case for the reductionism-resistant reality of emergent subjects and personhood. (Yet, they probably are alone in denominating these subjects as souls.) The sociologist Christian Smith, in his recent work, *What Is a Person?*, similarly leverages emergence theory. But Smith does so without attention to the counterarguments against emergence.<sup>6</sup> Goodman and Caramenico, being fine philosophers, go in with their eyes open. Although they hold to a strong (ontological) rather than a weak (epistemological) version of emergence, they do so chastely, arguing on technical grounds with formidable opponents, such as Jaegwon Kim.<sup>7</sup> The argument comes down to ontology—to systematic claims about what is real. For Kim, the downward causation that emergentists ascribe to higher-level organization tries to jump over Occam's razor but does not succeed. Given the principle of “causal closure” (“no physical event has a cause outside the physical domain”), downward causation becomes redundant (21). Since alleged emergent properties, such as consciousness vis-à-vis its underlying brain states, supervene on basal ones, that is, cannot be instantiated without them, all the causal work has already been done at the lower level. Downward causation is an illusion. We just have not got a sufficiently powerful account of causation at the micro-level yet.

Goodman and Caramenico find the ontology of “causal closure” impoverished:

But the real alternatives to [Kim's] materialism should not be hidden behind a straw man. Numbers too are not physical things. Nor is organization, or information. Yet they do matter, not apart from the bodies they inform, but in the way they order them. Numbers don't rattle chains or pass through

<sup>5</sup> Michael S. Gazzaniga, *Who's in Charge?: Free Will and the Science of the Brain* (New York: Harper Collins, 2011) 186.

<sup>6</sup> Christian Smith, *What Is a Person?: Rethinking Humanity, Social Life, and the Moral Good from the Person Up* (Chicago: University of Chicago Press, 2010) 25–89.

<sup>7</sup> Emergence might be a matter of genuinely new properties, behaviors, or entities developing in the world out of lower-level constituents. New furniture, so to speak, is added to the universe. This is the ontological sense. Or emergence might be a matter of new knowledge: given our knowledge of the lower-level state of the system, we could not predict what will develop once the higher state emerges. This latter, epistemological construal of emergence leaves open the strong ontological or metaphysical claim that new objects as such have emerged. It makes a weaker claim about how new knowledge is gained. See David Chalmers, “Strong and Weak Emergence,” in *The Re-Emergence of Emergence: The Emergentist Hypothesis from Science to Religion* (ed. Philip Clayton and Paul Davies; New York: Oxford University Press, 2008) 244–54.

walls. Nor do they make choices or play piano. But every general knows that organization and information are just as critical as ordnance. If you asked a commander which matters more, numbers or communications, you'd probably earn a pretty blank stare. What emergentists see is not a ghost in the bodily machine but a weakness in the machine metaphor: Brainwork is not sufficiently described electrochemically. The actions of the whole here far exceed the powers of its parts. That's why persons show life and sensibility, consciousness and agency when an atom cannot" (205–6). True enough. But is the explanation of those astonishing, mysterious phenomena by reference to emergent wholes absolutely and in principle necessary or only *faute de mieux* until a more powerful science of the micro-level comes along? Is emergentism scientifically fecund or is it primarily a philosophical way of drawing together and topping off a science that, as far as the higher human capacities go, is mostly a set of promissory notes (and in addition, a philosophical way of criticizing those philosophers, such as Paul and Patricia Churchland, who read those notes as demanding a rigorous reductionism)?

I am not sure that the debate between emergentists and reductionists can be settled. It is a debate within and, one might say, over the soul of naturalism. Is naturalism, all things considered, physicalism (think Quine's metaphor of desert landscapes), or should naturalism be as fecund and prolific as nature itself (think Henri Rousseau's jungle paintings)? Goodman and Caramenico, as evidenced by many of Goodman's prior works, envision a capacious, ampliative naturalism, informed by thinkers such as Aristotle and Spinoza. It is a naturalism where teleology returns—the Darwinian fitness of beings can only be reckoned by the interests and purposes of beings (18). In this naturalism, ontic value—the Platonic and biblical goodness of being—returns (239). Value is rooted in the conatus of all beings, in their claims to life and light. Goodman and Caramenico's naturalism subtends an emergent order, which carries the richness and potential of its base into novel, irreducible, and quite real heights. Nature no less than the souls that emerge from it are not spare givens but evolving projects. Soul is a success term.

It might have been prudent to opt for an extremely chaste strategy and go with a weak, rather than a strong, version of emergence and treat emergent phenomena, such as the soul, as doing conceptual work, while remaining agnostic about their ontological status. But Goodman and Caramenico, given the ambition of their naturalism, decline to take that route. Nonetheless, they are chaste enough to construe emergentism as working in tandem with the reductive analysis typically practiced in the sciences (albeit while eschewing reductionism). "Emergence," they explain, "stands in tension with reduction. Yet the two are not alternatives but complementary perspectives, one looking upward or forward, at what is distinctive in a complex or outcome; the other, down or back at origins or parts. Reduction is vital to understanding . . . [but] becomes foolish when it pretends to replace what it explains" (17).

As the book proceeds, the case for souls is made by attending to the integrative, downwardly causal work being done by conscious, temporally cognizant, agential,

and creative beings. Consciousness requires a subject, an *owner* of conscious experience; it must be more than a process or flow of experiential events. Goodman and Caramenico take aim at Hume and his philosophical descendants, such as Derek Parfit, who constitute personhood and identity in the flow of conscious experience as such. The authors disagree. The flow of continuous conscious experience is a flow for *someone*. That someone is not identical with the flow. “Consciousness is no mere sequence of events. It belongs to someone” (117). Consciousness gets its unity from the self—“or, as we might say, the soul” (96). They take issue with the neuroscientist Antonio Damasio, whose recent book *Self Comes to Mind* addresses some of the same questions, for fighting shy of giving the self (or soul) the full reality it deserves. Damasio writes: “My working definition of the material me, the self as object, is as follows: a dynamic collection of integrated neural processes, centered on the representation of the living body, that finds expression in a dynamic collection of integrated mental processes.”<sup>8</sup> The result, as they see it, is a failed effort to hybridize mechanism with subjecthood. Selfhood is still *ex post facto* a name for the activity of “integrated neural processes” rather than a causal factor, and therefore a reality, in its own right.

Although science is far from seeing the full picture, it reveals “consciousness not as a jerky silent film viewed through a single cyclopean lens but as an active and reflexive subjectivity drawing upon a host of neural events integrated by the very subjecthood that its own awareness helps to constitute” (136). The self/soul as owner of consciousness both emerges from neural processes and governs, directs, or employs them at the same time. It is thus both part and whole, an unsettling ambiguity. Neither perception, nor consciousness, nor memory, nor agency is the whole—the self or soul who owns them is. The reciprocity between basal conditions and the reality of personhood that emerges from them is presented by the authors as a virtuous circle. But is it? In closing, I would like to suggest two problems with their view.

The argument of Goodman and Caramenico obligates them to constitute the soul as something more than a complex, functional organization. Although it is not “stuff,” the soul has individuality and identity. (“Brains are not subjects, but they make subjecthood possible, not by housing some ethereal stuff but by fostering the emergence of a subject who can say ‘I’ and ‘it’ and ‘you’” [136].) The subject per force acquires an entity-like status. Yet in emergence theory, what emerges are complex, self-organizing systems. Organization as such propagates more complex instantiations of organization. For the physicist Robert Laughlin—who has brought emergence theory into particle physics—organizational context, rather than particles, is fundamental.<sup>9</sup> Does the emphasis on organization not dismantle

<sup>8</sup> Antonio Damasio, *Self Comes to Mind: Constructing the Conscious Brain* (New York: Pantheon Books, 2010); cited in Goodman and Caramenico, *Coming to Mind*, 122.

<sup>9</sup> Robert Laughlin, *A Different Universe: Reinventing Physics from the Bottom Down* (New York: Basic Books, 2005) 18.

the conceptual wall between entitative and processive views of the self? Is it not the case that the self is just what we call the organization of parts, processes and potentials that we notice in ourselves and others? Why tie this to a presumed entity, however emergent, other than as a way of speaking? Aristotle's ambiguity, I would suggest, complicates this picture as well.

Another problem is linguistic. Committed though they are to souls, the authors sometimes use "soul" interchangeably with "self." But what, other than rhetorical punch, does soul add to self? Soul allows the authors to reclaim a term with a much more religious resonance than self, but does it do some essential conceptual work that self leaves undone? The answer comes rather late, in the afterword. The reality of souls, declared in the emergent powers of "perception, consciousness and creativity, memory and moral agency . . . amply point toward links with something higher" (243). It now becomes clear that Goodman and Caramenico favor soul (over self or mind or person, etc.) not only because of the role it plays in their ramified naturalism but because of the transcendent dimension to which it points. It helps to ground not just our moral agency but the normative direction of that agency; it helps to ground awe, appreciation, and gratitude.

Fully aware of the leap from nature's "finite beauty and brilliance" to its "infinite Source," the authors see the "facets and achievements" of our "emergent . . . selves and souls" as gifts, not givens. God has given creatures "capabilities of self-creation—as witness the fact of evolution and the general reality of emergence, of which biological evolution is a special case" (243). Soul, unlike less resonant mental or phenomenological terms, opens up a way of talking about human beings that affirms their rootedness in nature and their simultaneous transcendence of it. The conceptual work that soul does exceeds a mere rhetoric. It allows a bridge to be cast from the sciences to the sacred. Self, person, or subject will not take us that far.

Although it emerges most visibly at the end, a religious impulse thus animates the whole work. The severest critic, but not I, would say it distorts it. I would say that it works sensitively and responsibly within the horizon of science and naturalism to point over the horizon in a gesture of gratitude. That gesture will be reciprocated by anyone who reads this book.



# Summaries of Doctoral Dissertations

## ■ Danielle Widmann Abraham [Ph.D.]

*Beyond Charity: Poverty, Gender, and Local Islam in Contemporary India*

This study of contemporary Muslim poverty alleviation projects in India investigates the way in which Islamic social ethics are brought to bear on efforts to redress social suffering. Drawing on ethnographic field research in Hyderabad, one of many cities that experienced Hindu-Muslim riots after the destruction of the Babri Masjid, the present study chronicles how confronting social suffering in the wake of episodic violence propels the creation of new public spaces and experimental social practices. Within such spaces, local understandings of Islamic ethics, gender formation, inter-religious relations, and religious authority are elaborated in such a way as to reshape lived social relations. This study demonstrates that Muslims counter social suffering by drawing on the longstanding commitment to charity and care of the vulnerable that is the hallmark of Islamic social ethics, while simultaneously reformulating this tradition in light of contemporary concerns about communal violence and gender justice. Focusing on diverse Muslim poverty alleviation projects within the same urban area, this study further shows that there is no monolithic Islamic response to poverty. Rather than a single ethical code that organizes Muslim poverty alleviation efforts, practical interventions are shown to be the result of particular interpretations of Islamic tradition, suffering, and gender that cluster together to support emergent notions of well-being.

Finally, these emergent social projects illustrate how efforts to redress poverty localize Islam. The effort to alleviate poverty instantiates a creative field in which ways of being Muslim are contested, embodied, and engaged through the frame of local tradition. In such local spaces, Islam is elaborated in such a way as to render moral those social practices that counter the use of force. Within the ongoing efforts of poverty alleviation, religion is thus inflected to express a desire that what bonds people together in everyday life should be something other than violence, subordination, fragmentation, deprivation, and suffering. As Muslim poverty alleviation projects affirm distinct modes of belonging to others, and work to inhibit

the formation of zones of social sacrifice, they simultaneously construct nonviolent social practices and gender reforms as expressions of local Islam.

Adviser: Parimal G. Patil

### ■ Paul Kang-Kul Cho [Ph.D.]

*The Sea in the Hebrew Bible: Myth, Metaphor, and Muthos*

The dissertation recounts the variegated journey of the sea in the Hebrew Bible through the lens of myth, metaphor, and *muthos*. The journey begins outside the Bible in ancient Near Eastern sea myths exemplified by the Ugaritic *Baal Cycle* and the Mesopotamian *Enuma Elish*, which tell the story of a sea deity whose defeat by a protagonist god in cosmic battle precedes three goodly consequences: creation, kingship, and temple. The study continues with the analysis of the biblical presentation of creation, kingship, and temple with emphasis on the constellation of themes and characters of the sea myth. The dissertation next analyzes the use of the sea myth as a metaphor for three events on the plane of history: the exodus (Exodus 14–15), the Babylonian exile (Isaiah 40–55), and the eschaton (Isaiah 24–27 and Daniel 7). Finally, the discussion moves from the analysis of the ways in which the sea *muthos* functions as a metaphor for the biblical presentation of individual events to the examination of the role the sea *muthos* plays as a metaphor for a biblical view of historical reality *in toto*. In sum, the dissertation extends the study of sea imagery in the Hebrew Bible from mythology to metaphorology and narratology to argue for the deep, enduring, and transformative place of the sea myth within biblical tradition.

Adviser: Jon D. Levenson

### ■ James Duncan Gentry [Ph.D.]

*Substance and Sense: Objects of Power in the Life, Writings, and Legacy of the Tibetan Ritual Master Sog bzlog pa Blo gros rgyal mtshan*

This thesis is a reflection on objects of power and their roles in people's lives through the lens of a single case example: power objects as they appear throughout the narrative, philosophical, and ritual writings of the Tibetan Buddhist ritual specialist Sog bzlog pa Blo gros rgyal mtshan (1552–1624) and his milieu. This study explores his discourse on power objects specifically for what it reveals about how human interactions with certain kinds of objects encourage the flow of power and charisma between them, and what the implications of these person-object transitions were for issues of identity, agency, and authority on the personal, institutional, and state registers in sixteenth- and seventeenth-century Tibet.

My investigation of Sog bzlog pa's discourse on power objects shows how the genres of narrative, philosophy, and liturgy relate such objects, each presenting them from a slightly different perspective. I illustrate how narratives depict power objects as central to the identity of Sog bzlog pa and his circle, mediating relations

that are in turn social, political, religious, aesthetic, and economic in tone, and contributing to the authority of the persons involved. This flow of power between persons and objects, I demonstrate further, is connected to tensions over the sources of transformational power as rooted either in objects, or in the people instrumental in their ritual treatment or use. I show how this tension between objective and subjective power plays out in Sog bzlog pa's philosophical speculations about power objects and in his rituals featuring them. I also trace the persistence of this discourse after Sog bzlog pa's death in the seventeenth-century state-building activities of Tibet and Sikkim, and in the present day identity of Sikkim's Buddhist population. Power objects emerge as hybrid subject-object mediators, which variously embody, channel, and direct the flow of power and authority between persons, objects, communities, institutions, and the state, as they flow across boundaries and bind these in their tracks. Finally, I illustrate how this discourse of power objects both complicates and extends contemporary theoretical reflections on the relationships between objects, actions, persons, and meanings.

Adviser: Janet Gyatso

### ■ Elon Goldstein [Ph.D.]

*Ethics and Religion in a Classic of Sanskrit Drama: Harṣa's Nāgānanda*

This dissertation explores a set of intersecting ethical, religious, and aesthetic concerns in a major South Asian Sanskrit drama from the seventh century C.E., Harṣa's *Nāgānanda* (*Joy of the Serpent-People*). *Nāgānanda* features as its protagonist a bodhisattva, a Buddhist type of ideal person, but the text's attitude toward the bodhisattva is ambivalent and complex. For more than a millennium following the text's composition, South Asian literati debated the ethical and aesthetic questions that *Nāgānanda* raises. To elucidate those historical concerns and to uncover dimensions of meaning in the text beyond those emphasized by pre-modern South Asian thinkers, I take into account Sanskrit literary criticism as well as contemporary hermeneutical approaches. I pay particular attention to an extensive, hitherto untranslated Sanskrit commentary on the play from roughly the fourteenth century. This study also considers an array of earlier Sanskrit texts that directly discuss *Nāgānanda* or pertain to it.

*Nāgānanda* envisions a reader who already possesses certain understandings about its genre and the literary culture that produced it. So the dissertation first supplies that requisite background. Next, the dissertation examines an earlier drama about another bodhisattva that is crucial for a deep understanding of *Nāgānanda*: Candragomin's fifth-century C.E. *Lokānanda* (*Joy of the World*). Having observed how *Nāgānanda* uses the earlier play as a foil, I then present a comprehensive interpretation of *Nāgānanda*. To explicate both dramas, I investigate how the texts' sophisticated literary features convey various meanings and exert their intended, transformative effects upon their envisioned readers.

The ethical facets of Sanskrit drama have been little studied and little theorized in prior scholarship on South Asian religions. Overall, both *Nāgānanda* and the theoretical texts that analyze it grapple with ethical concerns in ways that are distinctive to intellectual traditions linked to Sanskrit high literature (*kāvya*). Alongside the historical aims of this project, by bridging viewpoints from Sanskrit literary culture and contemporary thought, I seek to render *Nāgānanda* more accessible so that modern readers may better appreciate the relevance that this classic text can hold for us today.

Adviser: Parimal G. Patil

### ■ Brett Malcolm Grainger [Ph.D.]

*The Vital Landscape: Evangelical Religious Practice and the Culture of Nature in America, 1790–1870*

Evangelicalism, historians have long noted, is a movement born in field, forest, and stream. Like most truisms, however, this one has rarely been explored as deeply as it deserves. Using the tools of cultural history, this dissertation explores the variety of ways in which antebellum evangelicals engaged, enlisted, and resisted the spiritual potential of the natural world in order to progress in the religious life. By examining practices as diverse as camp meetings, outdoor baptism, contemplation of the book of nature, water-cure, electrotherapy, and mesmerism, my dissertation retrieves and interprets some of the broader contours and tensions within these traditions of evangelical “nature piety.” One goal of this project, therefore, is to open up the natural world to scholars as an important site and source for evangelical religious experience in the antebellum period. Another is to contextualize these attitudes. Previous scholarship has assumed evangelical disinterest in nature or else read rising interest in the natural world as inherently corrosive to orthodoxy. However, while evangelical interest in the spiritual potential of nature paralleled that of Romantics and Transcendentalists, it had different origins and aims. Situating forms of evangelical nature piety within late medieval and early modern debates concerning primitivism, the spiritual senses, and mysticism—including notions of divine ascent and union with Christ—the project demonstrates how “vital piety,” the end of all evangelical effort, fed and flowed from a special sense of nature as enlivened by the presence of Christ. Proceeding thematically and chronologically, it tracks practices associated with progressive stages in the spiritual life, moving from the new birth (conversion) to the new life (sanctification), culminating in speculative investigations into the nature of the new earth (eschatology). Such a structure underscores the limitations of secularization narratives, which have long presented the nineteenth-century turn to nature as a Trojan horse of heresy. The dissertation reveals a more complicated story. While antebellum evangelicals rhetorically distanced themselves from “superstitious” and “idolatrous” forms of

nature worship, in daily life they actively engaged a vitalist view of nature as part of larger efforts to reform and renew orthodox patterns of belief and behavior.

Adviser: David Neil Hempton

### ■ Charlotte Harrison [Ph.D.]

*The Ethics of Physician Collaboration in Conditions of Uncertainty: Shared Responsibility, Justifiable Deference, and the Example of Organ Donation and Transplantation*

Dissertation abstract embargoed for two years.

Adviser: J. Bryan Hehir

### ■ Maria Cecilia Aguilar Holt [Th.D.]

*From the River: Jesuit Missions and Exemplarity in Spanish Colonial Philippines, 1581–1768*

Using an interdisciplinary approach to textual interpretation and drawing from the fields of theology, history, literature, cultural studies, and anthropology, this dissertation explores the idea that Jesuit missionaries in the Philippines performed acts of *imitatio Christi* that were every bit as complex and creative as those demanded of the new Christian converts to whom they ministered. While the dissertation does not engage in an uncritical defense of missionaries, it does attempt to restore some of the complexity of the missionaries' own negotiations with the ideals of Roman Catholic conversion, exemplarity, and imitation.

References to patristic authors and Roman historians, and emulation of their rhetorical style and method by Jesuit missionaries may be seen as evidence of imitation at work, but do not signal its transparent application. Rather, they indicate theological reflection and critique in light of particular circumstances. Ideas about martyrdom, miracle-working, the extirpation of idolatry, and the Church's relationship to empire itself were challenged by religious tensions in Europe and the New World, as well as locally. Indeed it is as a result of these circumstances that the liminality of Roman Catholic missionaries stands out because the liminality reveals the complexity of their own imitative relation—their own “colonized” situation, as it were—to Christian tradition. Away from home and far from the centers of European and colonial power, acts of imitation by individual missionaries in colonial Philippines alternately consolidated or ruptured these connections.

Adviser: Francis X. Clooney, S.J.

■ Jonathan Kline [Ph.D.]

*Transforming the Tradition: Soundplay as an Interpretive Device in Innerbiblical Allusions*

This study concerns the use in the Hebrew Bible of paronomasia (soundplay) for the purpose of alluding to and interpreting antecedent literary traditions also found in the Bible. The focus of the investigation lies on the biblical writers' use of allusive paronomasia for the purpose of constructing theological discourse, that is, in service of their efforts to describe the nature of God and his relationship to humanity. By showing that a variety of biblical texts contain examples of allusive paronomasia employed for this purpose, the study demonstrates that this literary device played an important role in the growth of the biblical text as a whole and in the development of ancient Israelite and early Jewish theological traditions.

The examples discussed in this study reveal that allusive paronomasia is not limited to a particular biblical book, portion thereof, or generic corpus. Furthermore, allusive paronomasia, although not restricted to late texts, seems to be preponderant in them. This suggests that over time the scribes of ancient Israel increasingly viewed even the smallest details of the tradition (such as individual phonemes in earlier texts) to be highly significant for interpretation. Inasmuch as this attitude characterizes early interpretation of the Bible—especially the pesher literature of Qumran and rabbinic midrash—the use of paronomasia as a productive principle of exegesis in innerbiblical interpretation raises the question to what extent these later literatures' use of wordplay to interpret the biblical text constitutes an organic outgrowth of the compositional practices that shaped the biblical text itself.

On the broadest level, the present work draws attention to how language was conceived of in ancient Israel and suggests that at least some of the biblical writers viewed words not as merely human phenomena but as expressive of the character of God and the destiny of humanity. By illustrating some of the ways the biblical writers considered sounds—the smallest units of linguistic expression—to reveal the significance of the past, present, and future, this study suggests that the concept of divinely inspired writing was present in ancient Israel well before the close of the canon.

Adviser: D. Andrew Teeter

■ Suheil Ismail Laher [Ph.D.]

*Twisted Threads: Genesis, Development, and Application of the Term and Concept of Tawātur in Islamic Thought*

*Tawātur* is the concept that if we obtain the same information through a sufficient number of independent channels, we reach certainty about that data. When applied to the transmission of Qur'ān and hadith texts, *tawātur* can serve as a means by which to assert the truth of a source-text, which in turn has implications for cor-

rectness of the religious belief or practice that is conveyed by the text, and hence the orthodoxy of the one accepting or rejecting it.

This dissertation is an attempt to unravel the twisted historical threads of the conception and usage of *tawātur* across diverse disciplines, with a view to discovering the extent to which *tawātur* was used by Muslim scholars to define the boundaries of Islam and of orthodoxy. I undertake a diachronic study of primary sources in theology, Qur'ānic studies, legal theory, and *hadīth* studies, with an emphasis on the first five centuries of Islamic history, which represent the formative period for much of Islamic thought. I explore the origins of the term and concept in *kalām* circles, its eventual adoption by anti-*kalām* *hadīth*-folk, its transition into legal theory and thence *hadīth* studies, and its application to evaluating transmission of the Qur'ānic text and its recitation and to *hadīths*.

I find that *tawātur* of the Qur'ān (in the broad outlines of the 'Uthmānic text), along with some core beliefs and central rituals, found overwhelming acknowledgement among Muslims as a sine qua non of Islam. However, *tawātur* was not successful in delineating a unanimous canon of *hadīths*, because the *mutāwatir* status of particular *hadīths* is sometimes disputed, and because of ambiguous interpretations of certain texts. Nevertheless, the dominant and majority voices in Muslim scholarship (both Sunnī and Shī'ite) reached a steady state of a two-tiered orthodoxy (corresponding to the two-tiered *tawātur*) that is linked to a concept that knowledge is not unsusceptible to progression over time.

Adviser: M. Shahab Ahmed

## ■ Deonnie Moodie [Ph.D.]

*Contesting Kālīghāṭ: Discursive Productions of a Hindu Temple in Colonial and Contemporary Kolkata*

This dissertation is an analysis of discursive productions of Kālīghāṭ, a Hindu temple dedicated to the goddess Kālī in Kolkata (formerly Calcutta), India. It is the most famous temple in what was once the capital of the British Empire in India and what is now India's third largest city. Kālīghāṭ has a reputation for being ancient, powerful, corrupt, and dirty. This dissertation aims to discover how and why these are the adjectives most often used to describe this temple. While there are many stories that can be told about a place and many words that can be used to characterize it, these four dominate the public discourse on Kālīghāṭ. I demonstrate that these ideas about Kālīghāṭ are not discoveries made about the site, but instead are creations of it that have been produced at certain times, according to certain discursive practices, and toward certain ends.

Employing Michel Foucault's concept of the "discursive object," I analyze the ways in which verbal and written statements pertaining to the temple—ostensibly about a physical object with a material reality—in fact produce various discursive objects. When people think, talk, and write about Kālīghāṭ, they produce various "Kālīghāṭs." I focus particularly on statements made by middle-class Bengali Hindus

in books, newspaper articles, lawsuits, campaigns, and in personal conversation with me. From the colonial period to the present, in the vernacular Bengali language and in English, ideas about what this temple is have been produced in tandem with ideas about the nature of the city and its colonial legacy, what constitutes good Hinduism, the role of law in religious institutions, and middle-class notions of what a Hindu temple in a modern city ought to look and feel like. These ideas build upon one another so that *Kālīghāt* emerges, through two centuries of discourse, as a powerful symbol of Hindu heritage and dominance in this former colonial capital city and as a site that middle-class citizens, as well as government bodies, desire to influence and control.

Adviser: Anne Monius

### ■ Michelle Chaplin Sanchez [Ph.D.]

*Providence: From Pronoia to Immanent Affirmation in John Calvin's Institutes of 1559*

Over the twentieth century and into the present, theorists of secularization and political theology have explored ways that theological arguments shape the social, ethical, economic, and political imaginaries of the modern West. In many of these studies—by authors including Weber, Nietzsche, Schmitt, Lefort, Kantorowicz, Gauchet, and Agamben—the doctrine of providence has come under scrutiny alongside related theological debates over the nature of divine sovereignty, glory, the will, and the significance of immanent life in relation to divine transcendence. While it is often taken for granted that the Calvinist branch of Protestant reform likewise had a decisive impact on the shape of the modern West, there has been no extended treatment of Calvin's writing on providence, or related doctrines, that engages these arguments about secularization.

I argue that Calvin's *Institutes* of 1559 presents an excellent example of an intellectual project operating self-consciously at the intersection of the Christian theological tradition and the project of church and political reform, while also pedagogically addressing the reader on an individual level. This argument constitutes a double intervention. On the one hand, I make a critical contribution to philosophical and historical conversations on secularization by offering a reading of Calvin's *Institutes* that is critically responsive to these conversations. On the other hand, I provide a reading of Calvin's doctrine of providence that challenges the common notion that it suggests a deterministic view of divine transcendence. I argue instead that Calvin's doctrine of providence anchors his larger project of reform by reframing the locus of divine power outside the institutional bounds of the church and in an affirmative relation to the world more generally.

My argument includes an exploration of how Calvin's theology displays an interest in ways that texts, writing, and signification work to shape and organize the human ability to represent and navigate the world. I demonstrate this by relating Calvin's argument about providence to his theory of sacramental signification. I also

explore the relationship between texts and embodied practices across Calvin's 1559 *Institutes*. Finally, I relate the political implications of this sixteenth-century theological text to various claims made in literature on secularization and post-Schmittian political theology, arguing that Calvin's articulation of providence founds a notion of citizenship that secures human life beyond the bounds of governmental structures.

Adviser: Amy Hollywood



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